

Exhibit (“Exh. A”)

Attorney Attestation Of James Schuster

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION (CLEVELAND)**

A. PHILIP RANDOLPH INSTITUTE OF
OHIO, *et al.*,

Plaintiffs,

v.

FRANK LAROSE, in his official capacity as
Secretary of State of Ohio,

Defendant.

CASE NO. 20-cv-1908-DAP

HON. JUDGE DAN POLSTER

ATTORNEY ATTESTATION OF JAMES SCHUSTER

I, James Schuster, Esq., am over the age of 18; licensed to practice law and in good standing in the State of Ohio; admitted to practice in the U.S. District Court for the Northern District of Ohio (“Court”), and fully competent to make this Attorney Attestation. I attest to the following:

1. I am an attorney for A. Philip Randolph Institute of Ohio, et al., in the above-styled action.
2. By going to my computer; signing on to my computer; going to the Mozilla Firefox browser; placing my cursor in the web browser bar; and cutting and pasting from a Word® document or typing in the following Uniform Resource Locators (“URLs”), I accessed, downloaded, and categorize by topic/subject matter the following news articles and written materials relating to the United States Postal Service (“USPS”), including, but not limited to, those in which the following persons, topics and subject matters were covered, referenced or addressed:
 - Defendant Ohio Secretary of State Frank LaRose (“Defendant LaRose”), including his reported concerns about election mail’s being days by numerous days;
 - Ohio Attorney General Dave Yost (“Attorney General Yost”), attempts to contact the USPS to try to avoid election mail delivery delays;
 - U.S. President Donald Trump (“President Trump”), in terms of his opposition to emergency funding for the USPS to his desire to restrict voting by mail in the 2020 elections.
 - Reported changes and actions by U.S. Postmaster General Louis DeJoy (“Postmaster DeJoy”) made to USPS machines, systems and processes;

- USPS mail delivery delays, including reasons and causes for USPS mail delivery delays;
- USPS' failing to deliver or losing election ballots and other mail;
- USPS' removing USPS Collection Box® receptacles (mailboxes); and
- Ordered or actual removal of USPS mail delivery sorting machines, also known as, delivery point sequence ("DPS" and other machines.

3. I, hereby, attest that, attached to this Attestation, are true and accurate copies of the following news articles and written materials corresponding to the Exhibits below, including as to their title and date, URL and summary information.

Exh. A-01	
Title & Date	NBC4 Staff. "Absentee ballots are already the law": Ohio attorney general asks President Trump to delay USPS changes." <i>Fox 8 News</i> , 18 Aug. 2020
URL	https://fox8.com/news/absentee-ballots-are-already-the-law-ohio-attorney-general-asks-president-trump-to-delay-usps-changes/
According to Attorney General Yost, "the removal of mailboxes and sorting equipment raise questions of 'disparate impacts,' and that these moves so close to an election will trigger lawsuits. These moves, Yost said, could result in 'de-legitimizing the thousands of winners of the November contests.'	

Exh. A-02	
Title	Skalka, Liz. "USPS should look at moving local mail processing out of Michigan, northwest Ohio lawmaker says." <i>Toledo Blade</i> , 15 Jun. 2020.
URL	https://www.toledoblade.com/local/politics/2020/06/15/northwest-ohio-lawmaker-wants-usps-to-look-at-moving-mail-processing-out-of-michigan/stories%E2%80%A6
"Days before the deadline for this year's primary, Secretary of State Frank LaRose enlisted Ohio's congressional delegation to implore the USPS to process northwest Ohio absentee ballots in-state, citing reports that first-class mail was stuck in transit for up to 10 days."	

Exh. A-03	
Title	Chow, Andy. "U.S. Postal Service Warns Ohio About Potential Delays For Absentee Voting." <i>WYSO</i> , 17 Aug. 2020
URL	https://www.wyso.org/news/2020-08-17/u-s-postal-service-warns-ohio-about-potential-delays-for-absentee-voting
Letter from USPS to Defendant LaRose, stating, "[C]ertain [Ohio] deadlines for requesting and casting mail-in ballots are incongruous within the [USPS'] delivery standards."	

Exh. A-04	
Title	Rouan, Rick. "Postal Service reduces mail sorting capacity, warns Ohio some absentee ballots may not be delivered in time to count." <i>Columbus Dispatch</i> , 14 Aug. 2020.

URL	https://www.dispatch.com/news/20200814/postal-service-reduces-mail-sorting-capacity-warns-ohio-some-absentee-ballots-may-not-be-delivered-in-time-to-count
“Cutbacks by the Postal Service, including a significant loss of sorting and processing machinery at Columbus-area post offices”; “The Postal Service has warned Ohio Secretary of State Frank LaRose that Ohioans who request their absentee ballots near the deadline likely won’t receive them in time for their vote to be counted.”	

Exh. A-05	
Title	Author. “GOP Ohio attorney general calls on Trump to postpone Postal Service changes.” <i>Periodical</i> , 15 Aug. 2020
URL	https://www.cbsnews.com/news/postal-service-election-ohio-attorney-general-dave-yost-republican-trump-postpone-changes/
According to Attorney General Yost, “[T]he radical changes only weeks before early voting begins — however fiscally well founded — would place the solvency of the Post Office above the legitimacy of the Government itself.”	

Exh. A-06	
Title	Robbins, Adrienne. “In light of warnings from USPS, LaRose urges voters to act fast for mail-in ballots.” <i>nbc4i.com</i> , 17 Aug. 2020.
URL	https://www.nbc4i.com/news/your-local-election-hq/possible-postal-delays-could-threaten-ohio-votes/
“LaRose explained that he is concerned about changes slowing down absentee by-mail voting, especially with a record number of Ohioans expected to participate.”; “Any delay, any service impact by the postal service is of course going to have an impact on elections,” said LaRose.	

Exh. A-07	
Title	WKYC. “Ohio Secretary of State Frank LaRose urges voters to 'request your absentee ballot right away' on the TODAY Show.” <i>News Break</i> , 15 Aug. 2020.
URL	https://www.newsbreak.com/news/2041503679167/ohio-secretary-of-state-frank-larose-urges-voters-to-request-your-absentee-ballot-right-away-on-the-today-show
“Ohio Secretary of State Frank LaRose has advised Ohioans who are voting by mail to request and send their absentee ballots in well ahead of the state's usual deadlines, due to concerns over delays in delivery as the United States Postal Service undergoes a drastic reorganization at a time when voting by mail is expected to double in the state due to COVID-19 safety concerns.”	

Exh. A-08	
Title	Pitman, Michael. “Postal service says ‘missort’ caused late delivery of more than 300 ballots to Butler County.” <i>Journal News</i> , 26 May 2020.
URL	https://www.journal-news.com/news/postal-service-says-missort-caused-late-delivery-more-than-300-ballots-butler-county/30hGBU3iLtu7NyXoknuJZI/

“An ‘unintentional missort’ of more than 300 ballots caused them to be delivered too late to be counted by the Butler County Board of Elections, according to the U.S. Postal Service’s chief operating officer.”

Exh. A-09

Title	WHIO Staff. “Secretary of State: More than 1.3 million Ohioans have asked for absentee ballot applications.” <i>WHIO TV</i> 7, 15 Sep. 2020.
URL	https://www.whio.com/home/more-than-13-million-ohioans-have-asked-absentee-ballot-applications-secretary-state-says/LYBGMPA7ERHKLAAG53XKJPCVM/
Subject Matter(s):	“County board of elections statewide have received 1,398,347 absentee ballot applications, Ohio Secretary of State Frank LaRose reported Tuesday, more than double the number of such ballots asked for during the 2016 election.”

Exh. A-10

Title	Stahl, Jeremy. “This Is Still Happening: Louis DeJoy, Postmaster General.” <i>Slate</i> , 08 Sep. 2020.
URL	https://slate.com/news-and-politics/2020/09/this-is-still-happening-louis-dejoy.html
“As a consequence of some or all of the changes—whether they originated with DeJoy or not—on-time delivery plummeted in mid-July, from about 93 percent to 83 percent. That loss of output has proved disastrous. The result has been countless stories of horrifying mail delays, such as reports of dead farm animals undelivered to rural farms, or rotting meat shipments, or an elderly Holocaust survivor who was left without his reparations check, or many, many, many stories of veterans and seniors not receiving prescription drugs on time.”	

Exh. A-11

Title	Cordell, Taneisha. “US Postal service scrambling for funding to ensure mail-in ballots are counted in time.” <i>News 5 Cleveland</i> , 14 Aug. 2020.
URL	https://www.news5cleveland.com/news/democracy-2020/ohio-politics/us-postal-service-scrambling-for-funding-to-ensure-mail-in-ballots-are-counted-in-time
Subject Matter(s):	“Ohio Secretary of State Frank LaRose said he pushed to move the deadline to request an absentee ballot up by four days but was unsuccessful.”

Exh. A-12

Title	Pagonakis, Joe. “Cleveland postal union reports dismantled sorting equipment, delivery concerns.” <i>News 5 Cleveland</i> , 18 Sep. 2020.
URL	https://www.news5cleveland.com/news/local-news/cleveland-metro/cleveland-postal-union-reports-dismantled-sorting-equipment-delivery-concerns
“The controversy over dismantled sorting machines discovered in the back of Cleveland’s main post office on Orange Avenue has citizens and postal union leaders concerned about the delivery of mail-in ballots for the November election.”	

Exh. A-13	
Title	Bogage, Jacob. "DeJoy's Postal Service policies delayed 7 percent of nation's first-class mail, Senate Democrat's report says." <i>Washington Post</i> , 16 Sep. 2020.
URL	https://www.washingtonpost.com/business/2020/09/16/dejoy-usps-delays-senate-report/
"Postmaster General Louis DeJoy's controversial midsummer operational directives delayed nearly 350 million pieces, or 7 percent, of the country's first-class mail in the five weeks they were in effect, according to a new report published Wednesday by the Senate's top Democrat in charge of postal oversight."	

Exh. A-14	
Title	Eaton, Sabrina and Pelzer, Jeremy. "Dismantled equipment behind Cleveland Post Office raises delivery questions." <i>cleveland.com</i> , 17 Aug. 2020.
URL	https://www.cleveland.com/open/2020/08/dismantled-equipment-behind-cleveland-post-office-raises-delivery-questions.html
"As the U.S. Postal Service has warned Ohio and other states that it may not be able to meet mail-voting deadlines this November, the visibly idle equipment along with mail delays and post office budget shortfalls have fueled fears that the upcoming election will be undermined."	

Exh. A-15	
Title	Torres, Ella. "Family says USPS lost veteran's remains." <i>ABC News</i> , 22 Aug. 2020.
URL	https://abcnews.go.com/US/family-usps-lost-veterans-remains/story?id=72540895
"The cremated remains of a U.S. Army veteran sent through the mail were delayed reaching their final destination for days, according to the late veteran's family, and they say Postmaster General Louis DeJoy is to blame."	

Exh. A-16	
Title	Lapin, Tamar. "Federal judge blocks US Postal Service changes blamed for mail slowdown." <i>New York Post</i> , 17 Sep. 2020.
URL	https://nypost.com/2020/09/17/federal-judge-blocks-us-postal-service-changes-blamed-for-mail-slowdown/
"A federal judge on Thursday blocked controversial changes within the US Postal Service that have been blamed for a nationwide mail slowdown ahead of the November election, where a record number of mail-in ballots are predicted."	

Exh. A-17	
Title	Pre3sNewsAgency Staff. "How Well The Post Office Functions Could Make Or Break The 2020 Election," <i>Press News Agency</i> , 15 Sep. 2020.
URL	https://pressnewsagency.org/how-well-the-post-office-functions-could-make-or-break-the-2020-election/
"As the 2020 election approaches, the new postmaster general, Louis DeJoy, has prioritized budget cuts over getting people their mail on time. This could imperil voting by mail, which is expected to happen at unprecedented levels during the COVID-19 pandemic."	

Exh. A-18	
Title	Scripps National. "Many not confident ballot will be counted accurately if they vote by mail, poll shows." <i>News 5 Cleveland</i> , 15 Sep. 2020.
URL	https://www.news5cleveland.com/news/election-2020/many-not-confident-ballot-will-be-counted-accurately-if-they-vote-by-mail-polls-shows
"Just over 3 in 10 people say they're very confident their vote will be counted accurately if they vote by mail. Nearly 7 in 10 say the same thing about voting in person on Election Day. That's according to a new poll from the University of Maryland and The Washington Post."	

Exh. A-19	
Title	Naylor, Brian. "Pending Postal Service Changes Could Delay Mail And Deliveries, Advocates Warn." <i>NPR</i> , 29 Jul 2020.
URL	https://www.npr.org/2020/07/29/894799516/pending-postal-service-changes-could-delay-mail-and-deliveries-advocates-warn
"If they're talking about delaying mail, if they're talking about sending letter carriers out to the street, even if the truck is late, that means there's a lot of first-class mail that's going to be left on the workroom floor. And there's an almost cavalier attitude about this," Philip Rubio, a history professor at North Carolina A&T State University and a former letter carrier said.	

Exh. A-20	
Title	Failure to Deliver: Harm Caused By U.S. Postmaster General DeJoy's Changes to Postal Service Mail Delivery: A U.S. Senate Committee on Homeland Security & Governmental Affairs Minority Staff Report (U.S. Senator Gary Peters, Ranking Member) 16 Sep. 2020
URL	https://www.postal-reporter.com/blog/usps-changes-led-to-85-million-late-deliveries-in-a-single-week-senate-democrats-investigation-finds/
Serious mail delivery delays as a result of changes made by Postmaster General DeJoy to the USPS.	

Exh. A-21	
Title	Author. "Postal Crisis Ripples Across Nation as Election Looms." <i>Periodical</i> , 18 Aug. 2020.
URL	https://www.nytimes.com/2020/08/15/us/post-office-vote-by-mail.html?auth=login-email&login=email
<p>"The USPS] has warned states that it may not be able to meet their deadlines for delivering last-minute ballots. And this week, Mr. Trump said he opposed new postal funding because of his opposition to mail-in voting, which he complains will benefit Democrats and claims — without evidence — is riddled with fraud. At risk are not just the ballots — and medical prescriptions and paychecks — of residents around the country, but also the reputation of the Postal Service as the most popular and perhaps the least politicized part of the federal government."</p>	

Exh. A-22	
Title	Scheck, Tom; Hing, Geoff; and Hall Dee. "Postal delivery scores in five battleground states are missing targets as mail voting increases." <i>APMReports</i> , 12 Aug. 2020.
URL	https://www.apmreports.org/story/2020/08/12/postal-delivery-scores-battleground-states-mail-voting
<p>"Based on its own performance measures, the U.S. Postal Service has its work cut out for it before Election Day. Among the 13 postal districts serving key presidential battleground states, four failed to meet any on-time service goals handling first-class mail between April 1 and June 30, and six districts achieved only one."</p>	

Exh. A-23	
Title	Frankel, Todd. "Postal problems could continue despite suspension of policies blamed for mail delays." <i>Washington Post</i> , 18 Aug. 2020.
URL	https://www.washingtonpost.com/business/2020/08/19/postal-problems-could-continue-despite-suspension-policies-blamed-mail-delays/
<p>"The political heat of the summer of 2020 — filled with worries about mail-in voting — has thrown the Postal Service into crisis. The agency's reputation, the best of any federal agency, is now at stake as Americans more loudly voice their frustration about delayed prescriptions, late bills and undelivered packages, along with fears of alleged political interference by a new Republican postmaster general and President Trump, compromising not just everyday mail but also mail-in ballots this fall."</p>	

Exh. A-24	
Title	Kaufman, Ellie. "Postal service warns nearly every state it may not be able to deliver ballots in time based on current election rules." <i>CNN</i> , 15 Aug. 2020.
URL	https://www.cnn.com/2020/08/14/politics/usps-warn-states-mail-in-ballot-delivery/index.html
<p>"The US Postal Service warned almost all of the 50 states and Washington, DC, that voters could be at risk of not getting their ballots back to election offices in time to be counted because election rules are not compatible with the time needed for delivery and return of absentee ballots through the mail, according to letters released on Friday night. The letters provide a stark reminder that the expansion of mail-in voting due to the pandemic is colliding with a slowdown in postal delivery because of controversial changes made by the new postmaster general."</p>	

Exh. A-25	
Title	U.S. Senate Democrats. "Reports Of Americans Facing Unacceptable Mail Delays Continue To Pile Up Amid President Trump And Postmaster General DeJoy's Efforts To Undermine The Post Office." <i>democrats.senate.gov</i> , 20 Aug. 2020.
URL	https://www.democrats.senate.gov/newsroom/press-releases/reports-of-americans-facing-unacceptable-mail-delays-continue-to-pile-up-amid-president-trump-and-postmaster-general-dejoys-efforts-to-undermine-the-post-office
<p>"Since launching my investigation, I've heard from over 7,500 people across the country about how postal delays are harming them," said U.S. Senator Gary Peters. "There are too many questions that remain unanswered, including whether Postmaster General DeJoy and the Postal Service will be returning sorting machines he already removed from facilities across the country, the details of any changes he is leaving in place and any future changes he plans to enact that could continue to harm millions of Americans. Postmaster General DeJoy has repeatedly refused to clearly answer key questions and I'm going to be pressing for answers."</p>	

Exh. A-26	
Title	Gardner, Amy; and Kim, Seung. "State officials rush to shore up confidence in Nov. 3 election as voters express new fears about mail voting." <i>Washington Post</i> , 16 Aug. 2020.
URL	https://www.washingtonpost.com/politics/state-officials-rush-to-shore-up-confidence-in-nov-3-election-as-voters-express-new-fears-about-mail-voting/2020/08/16/3d511144-df23-11ea-b205-ff838e15a9a6_story.html
<p>"President Trump's unprecedented attacks on the U.S. Postal Service amid widespread mail delays across the country are shaking voters' faith that their ballots will be counted, prompting a rush among federal, state and local officials to protect the integrity of the Nov. 3 election."</p>	

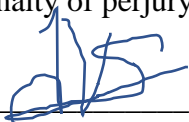
Exh. A-27	
Title	McCarthy, Ryan; and Jameel, Maryam. "The Postal Service Is Steadily Getting Worse - Can It Handle a National Mail-In Election?" <i>ProPublica</i> , 15 Jun. 2020.
URL	https://www.propublica.org/article/the-postal-service-is-steadily-getting-worse-can-it-handle-a-national-mail-in-election
<p>"During Ohio's April 28 primary, mail delivery had been so slow that the secretary of state publicly warned voters and called for the Postal Service to add staff. As they counted votes, Noonan and her team checked in with the service every day until the deadline. 'We said, Listen this is the last day, she recalled. If we get ballots after this, they're not going to be counted.'"</p>	

Exh. A-28	
Title	Colby, Clifford. "USPS crisis: Why mail is delayed, what that means for the election and what's being done about it." <i>C net</i> , 05 Sep. 2020.
URL	https://www.cnet.com/how-to/usps-crisis-why-mail-is-delayed-what-that-means-for-the-election-and-whats-being-done-about-it/
<p>"Over the next two months, with more than 80 million voters expected to vote by mail to avoid polling places during the ongoing COVID-19 pandemic, government officials are growing increasingly concerned about the country's ability to manage the surge of mail-in ballots. A recent internal audit by the US Postal Service found that 1 million mail-in ballots were sent late to voters during the 2020 primary elections."</p>	

Exh. A-29	
Title	Katz, Eric. "USPS Is Fighting to Block the Release of Data on Mail Delays." <i>Government Executive</i> , 21 Aug. 2020.
URL	https://www.govexec.com/management/2020/08/usps-fighting-block-release-data-mail-delays/168121/
<p>"Facing mounting legal challenges against reforms undertaken by its new leader, the U.S. Postal Service is seeking to prevent weekly public disclosure of mail delay data."</p>	

Exh. A-30	
Title	Solender, Andrew. "Reports Of Dismantled USPS Sorting Machines Continue Despite DeJoy Announcing Halt." <i>Forbes</i> , 19 Aug. 2020.
URL	https://www.forbes.com/sites/andrewsolender/2020/08/19/reports-of-dismantled-usps-sorting-machines-continue-despite-dejoy-announcing-halt/#ff39e6f26b98
Subject Matter(s):	"A day after Postmaster General Louis DeJoy announced the temporary suspension of sharply criticized service changes amid widespread delays and mail-in ballot fears, reports continue to surface about mail sorting machines being dismantled and removed."

This Attorney Attestation is executed on September 21, 2020, in Cleveland Heights, Ohio, under penalty of perjury that the foregoing is true and correct.



James Schuster, Esq.

Exh. A-1

Exh. A-01	
Title & Date	NBC4 Staff. "Absentee ballots are already the law": Ohio attorney general asks President Trump to delay USPS changes." <i>Fox 8 News</i> , 18 Aug. 2020
URL	https://fox8.com/news/absentee-ballots-are-already-the-law-ohio-attorney-general-asks-president-trump-to-delay-usps-changes/
According to Attorney General Yost, "the removal of mailboxes and sorting equipment raise questions of 'disparate impacts,' and that these moves so close to an election will trigger lawsuits. These moves, Yost said, could result in 'de-legitimizing the thousands of winners of the November contests.'	

Absentee ballots are already the law': Ohio attorney general asks President Trump to delay USPS changes

by: NBC4 Staff

Posted: Aug 18, 2020 / 06:01 AM EDT / Updated: Aug 18, 2020 / 06:05 AM EDT

COLUMBUS, Ohio (WCMH) — In a letter sent to President [Donald Trump](#), [Ohio](#) Attorney General David Yost asks the president to put off any changes to the [United States Postal Service](#) until after the November General Election.

Postal Service warns Ohio of delayed absentee ballot requests

In a letter dated [Aug. 16](#) and addressed to President Trump, Yost says the [USPS](#) “has an outdated and broken business model and an ever-declining customer base.”

However, the attorney general asks the president to postpone “needed changes” until after the election.

[The three-page letter](#) comes at a time when the [USPS](#) is in the middle of a political tug-of-war as more and more states move to mail-in ballots for the November election.

Yost continues in the letter to state that the removal of mailboxes and sorting equipment raise questions of “disparate impacts,” and that these moves so close to an election will trigger lawsuits. These moves, Yost said, could result in “de-legitimizing the thousands of winners of the November contests.”

Though [President Trump](#) casts his own ballots by mail, he’s repeatedly criticized efforts to allow more people to do so, which he argues without evidence will lead to increased voter fraud that could cost him the election.

President Trump admits he’s blocking postal cash to stop mail-in votes

Meanwhile, members of Congress from both parties have voiced concerns that curbside mailboxes, which is how many will cast their ballots, have abruptly been removed in some states.

Yost goes on to praise the ability of [Ohio’s](#) election officials, stating he is confident they will be able to run a secure and fair election.

“Whatever reform is needed at the Postal Service, it cannot come at the expense of our faith in the 2020 election,” Yost writes.

The full letter from Yost is below. App users, [tap here](#).

<https://fox8.com/news/absentee-ballots-are-already-the-law-ohio-attorney-general-asks-president-trump-to-delay-usps-changes/>

Administration
Office 614-728-5458
Fax 614-466-5087

August 16, 2020

The Honorable Donald J. Trump
President of the United States of America
The White House
1600 Pennsylvania Avenue
Washington, D.C. 20500

Dear Mr. President:

I have become aware of numerous reports in recent days of operational changes underway at the United States Postal Service to respond to an arterial cash bleed -a \$2.2 billion loss in the most recent quarter, and tens of billions of dollars in the last decade. I write to you today to respectfully request that you postpone these needed changes until after the November election.

The Post Office has an outdated and broken business model and an ever-declining customer base -- developments thirty years in the making. It is a perennial drain on the Treasury. But making the radical changes only weeks before early voting begins -- however fiscally well founded -- would place the solvency of the Post Office above the legitimacy of the Government itself.

I'll begin with two points on which all Americans ought to agree. First, we live in the greatest democracy in the history of the world. Second, the future of our democracy depends upon the integrity of our elections. Our system is built on the idea that a legitimate government operates with the consent of the governed. And the governed will consent only if they trust the election returns. To quote the late Justice Scalia, we cheat both sides of a contested election when we do anything that robs "the winners of an honest victory and the losers of the peace that comes from a fair defeat." In any election where one side feels cheated, we tug a bit more at the threads that hold our country together.

The reported changes to the Post Office include removal of sorting equipment and mailboxes. It is unclear at best that these reductions in capacity are even across geographic and political communities, raising the question of disparate impacts. These changes so close to the election are certain to give rise to litigation, which in turn will create a sense of chaos and uncertainty that will likely roll right into the early voting period -- thereby de-legitimizing the thousands of winners of the November contests.

30 E. Broad Street, 17th Floor, Columbus, OH 43215
www.OhioAttorneyGeneral.gov

<https://fox8.com/news/absentee-ballots-are-already-the-law-ohio-attorney-general-asks-president-trump-to-delay-usps-changes/>

Exh. A-2

Exh. A-02	
Title	Skalka, Liz. "USPS should look at moving local mail processing out of Michigan, northwest Ohio lawmaker says." <i>Toledo Blade</i> , 15 Jun. 2020.
URL	https://www.toledoblade.com/local/politics/2020/06/15/northwest-ohio-lawmaker-wants-usps-to-look-at-moving-mail-processing-out-of-michigan/stories%E2%80%A6
"Days before the deadline for this year's primary, Secretary of State Frank LaRose enlisted Ohio's congressional delegation to implore the USPS to process northwest Ohio absentee ballots in-state, citing reports that first-class mail was stuck in transit for up to 10 days."	



USPS should look at moving local mail processing out of Michigan, northwest Ohio lawmaker says



LIZ SKALKA ✓

The Blade

lskalka@theblade.com

JUN 15, 2020

3:05 PM

A northwest Ohio lawmaker wants the U.S. Postal Service to look into transferring mail processing for the region out of southeast Michigan, after what he characterized as years of unreliable mail delivery since Toledo lost its postal distribution center.

U.S. Rep. Bob Latta, a Bowling Green Republican, has requested an inquiry into the feasibility of switching mail sorting from the USPS Michigan Metroplex Facility in Pontiac to centers in Cleveland or Columbus.

“This request comes after years of complaints and concerns that my office has raised with the Postal Service and the continued

Brennan on June 5.

ADVERTISEMENT

Mr. Latta represents all or part of 14 counties in northwest Ohio, many of which receive and send mail sorted in metro Detroit.



The Blade

Hollywood Casino Toledo reopens Friday

Earlier this year, Ohio's first vote-by-mail primary exposed weaknesses in the postal service intensified by the coronavirus pandemic. Officials are now planning for a large percentage of registered voters to use absentee ballots in November, and hope to proactively address the issues that prevented Ohioans from casting ballots in April.

"The integrity of our election is at stake," Mr. Latta told The Blade. "We're 141 days out, so we've got to look at this and get it moving."

The problems in northwest Ohio arose after the 2012 closure of Toledo's mail processing facility, Mr. Latta said, when the region's mail began to be routed through Michigan and Columbus. The closure was part of an effort to plug a multi-billion-dollar budget



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In his district, it has delayed everything from bills to absentee ballots, Mr. Latta argued. He claimed that [hundreds of absentee ballots went missing in 2016](#).

“Since 2016, I have tried to work with the Postal Service to get answers as to why these delays continue to occur and if the Postal Service could improve the operations at the Michigan Metroplex,” Mr. Latta wrote. “I received assurances that the Postal Service took these matters seriously and were working to improve operations. Sadly, even with these assurances, I continue to receive a constant stream of complaints from my constituents about mail delivery issues, ranging from delayed mail to lost mail. Local courts have seen delayed delivery of jury summons; seniors have been forced to pay late fees because the delivery of their bill payments was slowed; and voters have had to worry about their ballots not being counted due to delivery delays.”

Days before the deadline for this year’s primary, Secretary of State Frank LaRose [enlisted Ohio’s congressional delegation to implore the USPS](#) to process northwest Ohio absentee ballots in-state, citing reports that first-class mail was stuck in transit for up to 10 days.

Nearly all Lucas County ballots arrived in time to be counted by May 8, but in Butler County about 300 had to be tossed [after they](#)



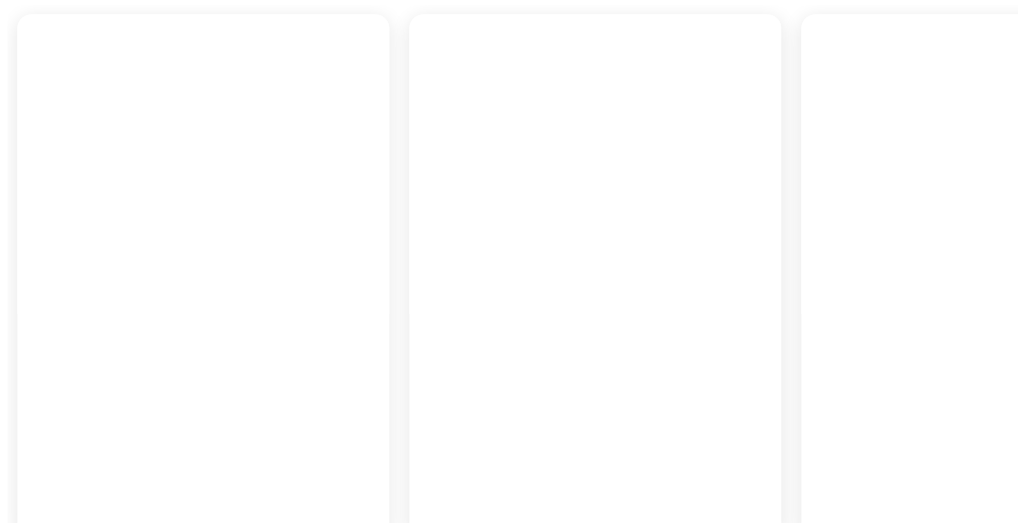
In a statement, Mr. LaRose's spokesman Maggie Sheehan said, "The secretary is for anything that gets elections mail delivered safely and securely, and will continue to work with Ohio's Congressional Delegation and the USPS to seek solutions."

USPS acknowledged earlier this year that the coronavirus pandemic caused a slowdown in Detroit-area mail processing. A USPS spokesman on Monday said the postal service had received Mr. Latta's letter and would be replying directly to the congressman's office.

U.S. Rep. Marcy Kaptur, Toledo's Democratic representative, said USPS should reopen its Toledo distribution center to fix the problem.

"I fought the 2012 deeply misguided decision by the U.S. Postal Service Board of Governors to shutter the Toledo Mail Processing Plant, which greatly reduced postal standards in our region," she said in a statement. "We must reopen Toledo's distribution center to restore high quality jobs, and improve mail delivery performance. Anything less will result in continued hampered performance of this vital constitutional pillar of our democracy, especially as more and more Americans will rely on mail-in ballots for this year's elections."

Popular in the Community



Exh. A-3

Exh. A-03	
Title	Chow, Andy. "U.S. Postal Service Warns Ohio About Potential Delays For Absentee Voting." <i>WYSO</i> , 17 Aug. 2020
URL	https://www.wyso.org/news/2020-08-17/u-s-postal-service-warns-ohio-about-potential-delays-for-absentee-voting
Letter from USPS to Defendant LaRose, stating, "[C]ertain [Ohio] deadlines for requesting and casting mail-in ballots are incongruous within the [USPS'] delivery standards."	



U.S. Postal Service Warns Ohio About Potential Delays For Absentee Voting

By [Andy Chow](#)

Published August 17, 2020 at 10:19 AM EDT



The U.S. Postal Service has sent a letter to dozens of state election officials around the country including Ohio, warning that delays in delivering the mail could result in voters not being able to cast their absentee ballots in time.

The [letter](#) sent to Secretary of State Frank LaRose (R-Ohio) on July 30, notes ways states can adjust to these delays by changing voter deadlines.

Rep. Bride Rose Sweeney (D-Cleveland) says they've been advocating for expanded voter access for this very reason.

"It's not just theory, it's not just conjecture. It is now clear evidence delivered to him that

WYSO

Alpha Rhythms

LaRose has noted concerns with postal delays in the past. He says his office has been trying to warn voters to not "procrastinate" when it comes to requesting and casting an absentee ballot.

The secretary of state's office says LaRose has been working on ways to mitigate potential postal service delays.

Maggie Sheehan, LaRose spokesperson, says the USPS committed to implementing certain protocols during the Ohio primary, and the office believes those will be continued this fall.

Those protocols include:

- USPS will institute "all clear" processes to ensure all election mail is processed each day.
- Staff will recheck collection bins each day to ensure late arriving ballots are retrieved
- Postal facilities will track election mail deliveries to Ohio's boards of elections
- Election mail will not be routed through the Detroit Regional Distribution Center. Instead it will be kept in-state.
- USPS will assign their independent investigative unit to do additional "all clear" checks at Ohio facilities.

LaRose also ensures that in-person voting will still be an option on Election Day, November 3.

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Tags

[News](#)[Voting](#)[Election 2020](#)[Statewide News](#)[U.S. Postal Service](#)

Andy Chow

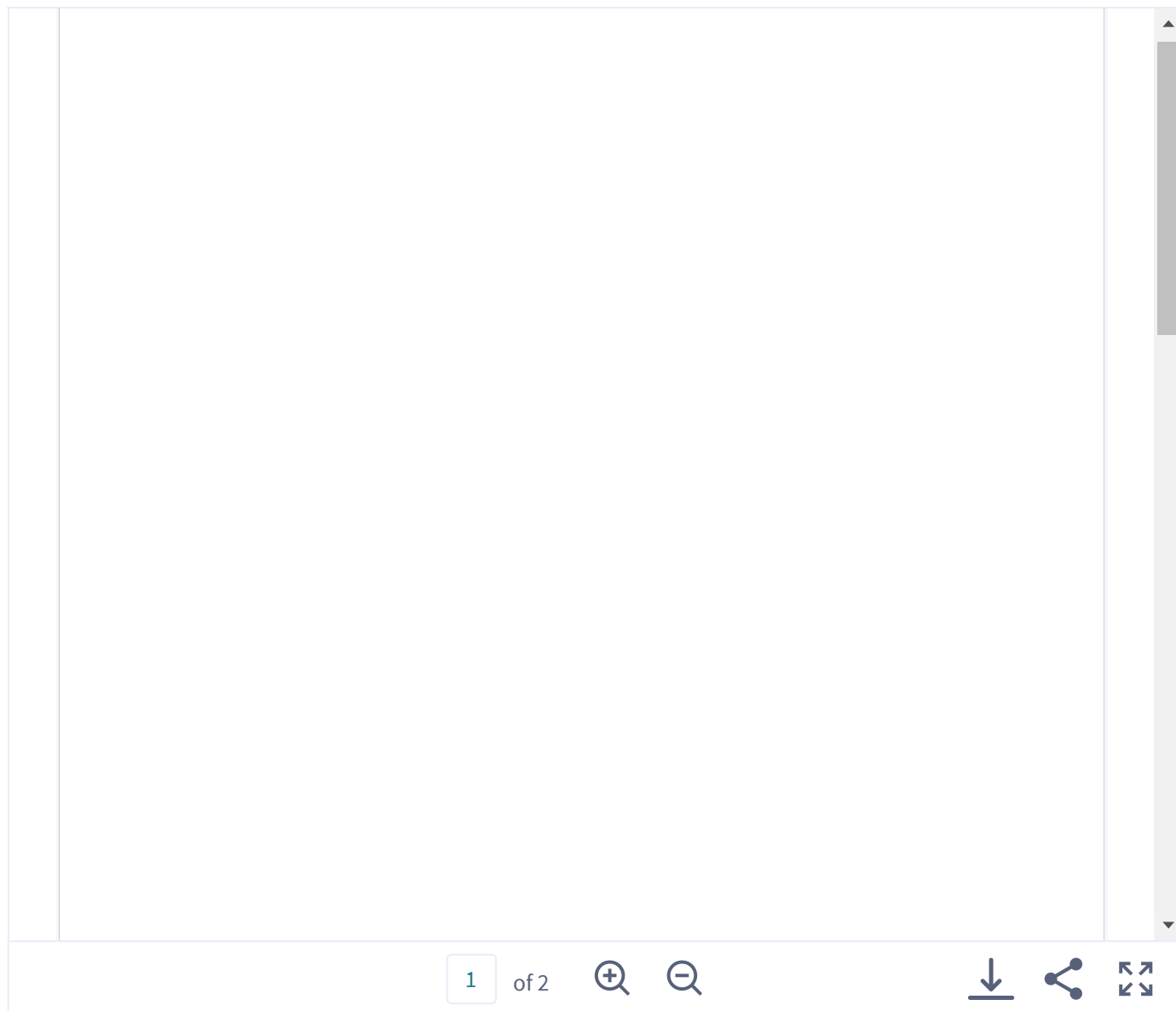
Andy Chow is a general assignment state government reporter who focuses on environmental, energy, agriculture, and education-related issues. He started his journalism career as an associate producer with ABC 6/FOX 28 in Columbus before

WYSO

Alpha Rhythms

the [country] and here in Ohio that could be disenfranchised by this process," says Sweeney.

Sweeney and other Democratic lawmakers are calling on LaRose to allow county boards of elections to provide additional ballot drop boxes. LaRose counters by arguing that's a decision that must be made by the legislature. **Read:** Letter from USPS to Secretary of State Frank LaRose



Earlier this week, LaRose said he had asked Attorney General Dave Yost to provide a legal opinion on the matter. However, LaRose said he did not hear from the attorney general's office soon enough, so he pulled that request and went ahead with the decision to prohibit additional drop boxes.

THOMAS J. MARSHALL
GENERAL COUNSEL
AND EXECUTIVE VICE PRESIDENT



July 30, 2020

Honorable Frank LaRose
Ohio Secretary of State
22 North 4th Street, Floor 16
Columbus, OH 43215-3668

Dear Secretary LaRose:

Re: Deadlines for Mailing Ballots

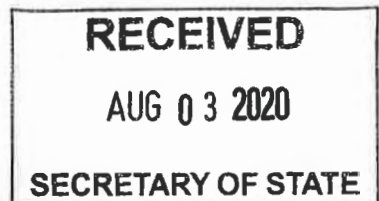
With the 2020 General Election rapidly approaching, this letter follows up on my letter dated May 29, 2020, which I sent to election officials throughout the country. That letter highlighted some key aspects of the Postal Service's delivery processes. The purpose of this letter is to focus specifically on the deadlines for requesting and casting ballots by mail. In particular, we wanted to note that, under our reading of Ohio's election laws, certain deadlines for requesting and casting mail-in ballots are incongruous with the Postal Service's delivery standards. This mismatch creates a risk that ballots requested near the deadline under state law will not be returned by mail in time to be counted under your laws as we understand them.

As I stated in my May 29 letter, the two main classes of mail that are used for ballots are First-Class Mail and USPS Marketing Mail, the latter of which includes the Nonprofit postage rate. Voters must use First-Class Mail (or an expedited level of service) to mail their ballots and ballot requests, while state or local election officials may generally use either First-Class Mail or Marketing Mail to mail blank ballots to voters. While the specific transit times for either class of mail cannot be guaranteed, and depend on factors such as a given mailpiece's place of origin and destination, most domestic First-Class Mail is delivered 2-5 days after it is received by the Postal Service, and most domestic Marketing Mail is delivered 3-10 days after it is received.

To account for these delivery standards and to allow for contingencies (e.g., weather issues or unforeseen events), the Postal Service strongly recommends adhering to the following timeframe when using the mail to transmit ballots to domestic voters:

- **Ballot requests:** Where voters will both receive and send a ballot by mail, voters should submit their ballot request early enough so that it is received by their election officials at least 15 days before Election Day at a minimum, and preferably long before that time.
- **Mailing blank ballots to voters:** In responding to a ballot request, election officials should consider that the ballot needs to be in the hands of the voter so that he or she has adequate time to complete it and put it back in the mail stream so that it can be processed and delivered by the applicable deadline. Accordingly, the Postal Service recommends that election officials use First-Class Mail to transmit blank ballots and allow 1 week for delivery to voters. Using Marketing Mail will result in slower delivery times and will increase the risk that voters will not receive their ballots in time to return them by mail.

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FAX: 202-268-6981
THOMAS.J.MARSHALL@USPS.GOV
www.usps.com



- **Mailing completed ballots to election officials:** To allow enough time for ballots to be returned to election officials, domestic voters should generally mail their completed ballots at least one week before the state's due date. In states that require mail-in ballots to be *both* postmarked before Election Day *and* received by election officials by a specific date that is one week or more after Election Day, voters may generally mail their ballot up until November 2, the day before the 2020 general election. However, voters who mail in their ballots on November 2 must be aware of the posted collection times on collection boxes and at the Postal Service's retail facilities, and that ballots entered after the last posted collection time on a given day will not be postmarked until the following business day.

Under our reading of your state's election laws, as in effect on July 27, 2020, certain state-law requirements and deadlines appear to be incompatible with the Postal Service's delivery standards and the recommended timeframe noted above. As a result, to the extent that the mail is used to transmit ballots to and from voters, there is a significant risk that, at least in certain circumstances, ballots may be requested in a manner that is consistent with your election rules and returned promptly, and yet not be returned in time to be counted.

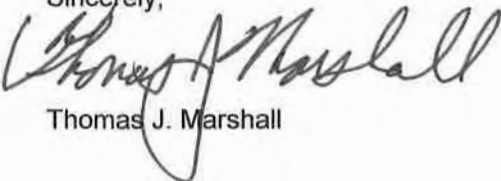
Specifically, it appears that a completed ballot must be postmarked before Election Day and received by election officials within 10 days after the election. If that understanding is correct, voters who choose to mail their ballots may do so on or before Monday, November 2. However, it further appears that state law generally permits voters to apply by mail for a ballot as late as 3 days before the election. If a voter submits a request at or near the deadline, and the ballot is transmitted to the voter by mail, there is a significant risk that the ballot will not reach the voter before the state's postmark deadline of November 2, and accordingly that the voter will not be able to use the ballot to cast his or her vote. That risk is exacerbated by the fact that the law does not appear to impose a time period by which election officials must transmit a ballot to the voter in response to a request.

To be clear, the Postal Service is not purporting to definitively interpret the requirements of your state's election laws, and also is not recommending that such laws be changed to accommodate the Postal Service's delivery standards. By the same token, however, the Postal Service cannot adjust its delivery standards to accommodate the requirements of state election law. For this reason, the Postal Service asks that election officials keep the Postal Service's delivery standards and recommendations in mind when making decisions as to the appropriate means used to send a piece of Election Mail to voters, and when informing voters how to successfully participate in an election where they choose to use the mail. It is particularly important that voters be made aware of the transit times for mail (including mail-in ballots) so that they can make informed decisions about whether and when to (1) request a mail-in ballot, and (2) mail a completed ballot back to election officials.

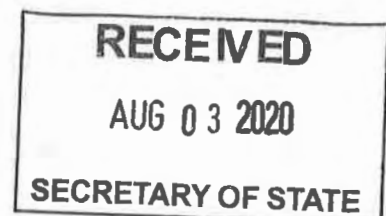
We remain committed to sustaining the mail as a secure, efficient, and effective means to allow citizens to participate in the electoral process when election officials determine to utilize the mail as a part of their election system. Ensuring that you have an understanding of our operational capabilities and recommended timelines, and can educate voters accordingly, is important to achieving a successful election season. Please reach out to your assigned election mail coordinator to discuss the logistics of your mailings and the services that are available as well as any questions you may have. A list of election mail coordinators may be found on our website at: <https://about.usps.com/election-mail/politicelection-mail-coordinators.pdf>.

We hope the information contained in this letter is helpful, and please let me know if you have any questions or concerns.

Sincerely,



Thomas J. Marshall



Exh. A-4

Exh. A-04	
Title	Rouan, Rick. "Postal Service reduces mail sorting capacity, warns Ohio some absentee ballots may not be delivered in time to count." <i>Columbus Dispatch</i> , 14 Aug. 2020.
URL	https://www.dispatch.com/news/20200814/postal-service-reduces-mail-sorting-capacity-warns-ohio-some-absentee-ballots-may-not-be-delivered-in-time-to-count
"Cutbacks by the Postal Service, including a significant loss of sorting and processing machinery at Columbus-area post offices"; "The Postal Service has warned Ohio Secretary of State Frank LaRose that Ohioans who request their absentee ballots near the deadline likely won't receive them in time for their vote to be counted."	

The Columbus Dispatch

By [Rick Rouan](#)

The Columbus Dispatch

Posted Aug 14, 2020 at 6:26 PM

The Postal Service has warned Ohio Secretary of State Frank LaRose that Ohioans who request their absentee ballots near the deadline likely won't receive them in time for their vote to be counted.

[The letter received earlier this month was among those sent to elections officials in 46 states, according to The Washington Post.](#)

The Post story reported on widespread cutbacks by the Postal Service, including a significant loss of sorting and processing machinery at Columbus-area post offices. That has caused a reduction in the amount of mail that can be sorted, resulting in delays in delivery.

The Columbus area was among the hardest hit in the country, with a reduction of 327,000 pieces of mail per hour, according to the Post. The only cities with bigger reductions were Los Angeles (577,000 pieces per hour), Houston (470,000) and Pontiac, Michigan (394,000). Pontiac is near Detroit.

Naddia Dhalai, strategic communication specialist for the Postal Service's Northern Ohio District & Ohio Valley District, did not respond to Dispatch questions seeking specifics.

But she did say via email: "The Postal Service routinely moves equipment around its network as necessary to match changing mail and package volumes. Package volume is up, but mail volume continues to decline. Adapting our processing infrastructure to the current volumes will ensure more efficient, cost effective operations and better service for our customers."

Democrats have harshly criticized President Donald Trump for financially starving the Postal Service, along with his false claims that voting by mail would lead to substantial election fraud.

That criticism intensified Thursday after Trump said he wouldn't provide several billion dollars that Democrats want for the Postal Service because the money would be used to make voting by mail easier.

"They need that money so it can work and they can take these millions and millions of ballots," he said, according to Fox News. "But if they don't get those two items, then they can't have mail-in ballots."

Friday, the president said he might give more money to the Postal Service if Democrats give him something he wants.

<https://www.dispatch.com/news/20200814/postal-service-reduces-mail-sorting-capacity-warns-ohio-some-absentee-ballots-may-not-be-delivered-in-time-to-count>

The president has personally requested a mail-in ballot for Tuesday's primary election in Florida.

On Tuesday, LaRose delivered a warning at a news conference on election preparedness, urging Ohio voters to request their absentee ballots early so there is enough time for the ballots to be mailed to them, and for voters to fill them out and return them.

The importance of mailed absentee ballots is expected to be magnified this year as many voters shy away from going to the polls on Election Day because of the coronavirus pandemic.

LaRose had urged the General Assembly to move up the deadline to request an absentee ballot to avoid problems with slow mail delivery. But state lawmakers never acted on that request, nor other voting improvements suggested by LaRose.

Under current Ohio law, voters can request absentee ballots up until noon on the Saturday before the Nov. 3 election. LaRose wanted that deadline bumped to a week before the election. Even though the law wasn't changed, LaRose is still urging voters to request their ballot at least a week ahead of time, by Oct. 27.

LaRose said ballots requested at the Oct. 31 deadline are "highly unlikely" to be counted because of the short turnaround time.

Absentee ballots sent through the mail must be postmarked by Nov. 2 and received at the county board of elections within 10 days of the election (Nov. 13). Early voting in Ohio begins the first week of October.

In a letter dated July 30 and received Aug. 3, the Postal Service wrote: "If a voter submits a request at or near the deadline, and the ballot is transmitted to the voter by mail, there is a significant risk that the ballot will not reach the voter before the state's postmark deadline of November 2, and accordingly that the voter will not be able to use the ballot to cast his or her vote."

Delays with postal delivery were a problem in the days leading up to the conclusion of Ohio's mostly by-mail primary in April. At that time, LaRose tapped the state's congressional delegation to try to work with the Postal Service to ensure timely delivery.

The Postal Service took several steps then, including keeping election mail in-state rather than routing it through a regional distribution center in Detroit. LaRose's office said it expects that practice will be continued in the general election.

Democrats and voter advocates criticized LaRose last week for a decision to allow county boards of elections to employ only one drop box, as was required in the primary, for absentee ballots. Additional drop boxes would have allowed for more alternatives to mailing absentee ballots.

LaRose said he was worried that allowing multiple drop boxes in each county could invite litigation.

LaRose spokeswoman Maggie Sheehan wrote in an email that the instructions on absentee ballot applications being sent to nearly 8 million registered Ohio voters in September will recommend

<https://www.dispatch.com/news/20200814/postal-service-reduces-mail-sorting-capacity-warns-ohio-some-absentee-ballots-may-not-be-delivered-in-time-to-count>

that they ask for an absentee ballot by Oct. 27, rather than waiting until closer to the deadline for such requests.

The envelopes used to return those requests also have been modified to make it easier for postal employees to identify them as elections mail, she said.

The Postal Service's letter to LaRose noted that most first-class mail takes two to five days to deliver; marketing mail takes three to 10 days. It recommended that voters submit their ballot requests early enough that they would be received by their local board of elections at least 15 days before the election and that elections officials use the faster first-class mail.

Voters should mail their ballots back to elections officials at least a week before the deadline, according to the letter. Voters who drop their ballot in mailboxes after their posted collection times on Nov. 2 won't be postmarked until the following day. In Ohio, that means those ballots would not be counted.

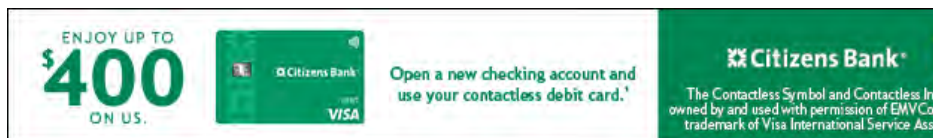
"Under our reading of your state's elections laws, as in effect on July 27, 2020, certain state-law requirements and deadlines appear to be incompatible with the Postal Service's delivery standards and the recommended time frame noted above," the letter said.

Dispatch Reporter Bethany Bruner contributed to this story.

rrouan@dispatch.com

Exh. A-5

Exh. A-05	
Title	Author. "GOP Ohio attorney general calls on Trump to postpone Postal Service changes." <i>Periodical</i> , 15 Aug. 2020
URL	https://www.cbsnews.com/news/postal-service-election-ohio-attorney-general-dave-yost-republican-trump-postpone-changes/
According to Attorney General Yost, "[T]he radical changes only weeks before early voting begins — however fiscally well founded — would place the solvency of the Post Office above the legitimacy of the Government itself."	



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LIVE

GOP Ohio attorney general calls on Trump to postpone Postal Service changes

BY JACK TURMAN

AUGUST 18, 2020 / 9:27 AM / CBS NEWS



As the Trump administration begins to implement cost-cutting operational changes that have already begun to delay services, Ohio Attorney General Dave Yost is calling on President Trump to postpone Postal Service reforms until after the November election, according to a letter obtained by CBS News.





In the letter, dated August 16, Yost, a Republican, told the president that "the radical changes only weeks before early voting begins – however fiscally well founded – would place the solvency of the Post Office above the legitimacy of the Government itself." Early voting begins in the state on October 6.

He cited reports that included the removal of sorting boxes and mail boxes and added that changes would likely face legal battles. Ohio Secretary of State Frank LaRose said in a press conference last week that the state would limit the county boards of elections to a single ballot drop box per county.

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"These changes so close to the election are certain to give rise to litigation, which in turn will create a sense of chaos and uncertainty that will likely roll right into the early voting period – thereby de-legitimizing the thousands of winners of the November contests," Yost wrote. The Columbus Dispatch first reported Yost's letter.

LaRose also recently announced a 48-point guidance plan on voting safely to Ohio's county board of elections. Recommendations include social distancing, requiring poll workers to wear facial coverings, routinely cleaning voting machines and allowing curbside voting.

Yost expressed confidence in Ohio election officials and their ability to safely and securely administer an election. He wrote that whatever reforms the president wants to implement "cannot come at the expense of our faith in the 2020 election."

He recommended that Mr. Trump clarify his plan for operational change at the Postal Service and demand the Board of Governors postpone any changes until after the election.

Ohio Senator Sherrod Brown, a Democrat, criticized the president for his handling of the Postal Service in a virtual press conference on Monday. Brown noted that many rely on mail to receive medications and to pay bills, in addition to casting their ballots.

"It's amazing the president of the United States thinks it's okay to scare people, thinks it's okay to begin the dismantling of this great institution that has a very productive workforce," Brown said.

All registered voters in Ohio – 7.8 million – will be sent an absentee ballot request form around Labor Day. Ohio is a "no-excuse" absentee ballot state. The deadline to request an absentee ballot is October 31, three days

before Election Day. Ballots must be postmarked before Election Day in order to be counted, and the deadline to register to vote is October 5.

The Postal Service warned Ohio in late July that because its absentee ballot request deadline is so close to Election Day, "there is significant risk that the ballot will not reach the voter before the state's postmark deadline of November 2." It suggested that voters should instead submit their requests far earlier, so that election officials receive them "at least 15 days before Election Day, and preferably long before that time."

Cara Korte contributed to this report.

Read Yost's letter here:



First published on August 17, 2020 / 5:33 PM

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The Five Guys Ordering Secret You Need To Know

PAID. WIKIBUY

Exh. A-6

Exh. A-06	
Title	Robbins, Adrienne. "In light of warnings from USPS, LaRose urges voters to act fast for mail-in ballots." <i>nbc4i.com</i> , 17 Aug. 2020.
URL	https://www.nbc4i.com/news/your-local-election-hq/possible-postal-delays-could-threaten-ohio-votes/
"LaRose explained that he is concerned about changes slowing down absentee by-mail voting, especially with a record number of Ohioans expected to participate."; "Any delay, any service impact by the postal service is of course going to have an impact on elections," said LaRose.	



In light of warnings from USPS, LaRose urges voters to act fast for mail-in ballots

YOUR LOCAL ELECTION HQ

COLUMBUS (WCMH) — Ohio Secretary of State Frank LaRose and a bipartisan group of secretaries of state have requested a meeting with the Postmaster General Louis DeJoy after concerns of postal delays may impact the 2020 election.

“The ask is going to be very clear, any kind of changes they are doing can’t impact the election,” said LaRose.

LaRose explained that he is concerned about changes slowing down absentee by-mail voting, especially with a record number of Ohioans expected to participate.

“Any delay, any service impact by the postal service is of course going to have an impact on elections,” said LaRose.

2020 Ohio General and Presidential Election guide

With this looming problem, some lawmakers are calling for LaRose to allow county boards to install more ballot drop boxes.

“This is the most common sense, easiest way to help people vote in a global pandemic,” said Rep. Bride Rose Sweeney (D-Cleveland).

LaRose explained that is a decision for the General Assembly, not his office.

“I can’t do things that I’m not allowed to do under law whether I like them or not,” he said. “So would I like to expand drop boxes in the state of Ohio? Absolutely. Can’t do it without legislative permission.”

Yost asks Trump to hold off on post office changes

With the future of the Postal Service being unknown, LaRose urges all Ohio voters to act quickly and not procrastinate. He stressed absentee by mail in is still a viable option to vote for Ohioans.

“Whether mail moves a little bit slower or not, if it takes a few extra days for delivery to happen, that shouldn’t impact the confidence that Ohioans have,” said LaRose.

To register to receive a mail-in ballot, [click here](#). Registration is open now, and the deadline to submit a ballot request is three days before the November 3 election.

Exh. A-7

Exh. A-07	
Title	WKYC. "Ohio Secretary of State Frank LaRose urges voters to 'request your absentee ballot right away' on the TODAY Show." <i>News Break</i> , 15 Aug. 2020.
URL	https://www.newsbreak.com/news/2041503679167/ohio-secretary-of-state-frank-larose-urges-voters-to-request-your-absentee-ballot-right-away-on-the-today-show
<p>"Ohio Secretary of State Frank LaRose has advised Ohioans who are voting by mail to request and send their absentee ballots in well ahead of the state's usual deadlines, due to concerns over delays in delivery as the United States Postal Service undergoes a drastic reorganization at a time when voting by mail is expected to double in the state due to COVID-19 safety concerns."</p>	

Ohio Secretary of State Frank LaRose urges voters to 'request your absentee ballot right away' on the TODAY Show

Show **Ohio** | WTOL-TV | 08-15

Ohio Secretary of State Frank LaRose has advised Ohioans who are voting by mail to request and send their absentee ballots in well ahead of the state's usual deadlines, due to concerns over delays in delivery as the United States Postal Service undergoes a drastic reorganization at a time when voting by mail is expected to double in the state due to COVID-19 safety concerns.

Exh. A-8

Exh. A-08	
Title	Pitman, Michael. "Postal service says 'missort' caused late delivery of more than 300 ballots to Butler County." <i>Journal News</i> , 26 May 2020.
URL	https://www.journal-news.com/news/postal-service-says-missort-caused-late-delivery-more-than-300-ballots-butler-county/30hGBU3iLtu7NyXoknuJZI/
"An 'unintentional missort' of more than 300 ballots caused them to be delivered too late to be counted by the Butler County Board of Elections, according to the U.S. Postal Service's chief operating officer."	

JOURNAL-NEWS

Butler County's Local News Now

Postal service says 'missort' caused late delivery of more than 300 ballots to Butler County

[Ohio](#) | May 26, 2020

By Michael D. Pitman

U.S. Postal Service response left Ohio Secretary of State 'with some unanswered questions.'

EDITOR'S NOTE: This story has been updated with new information about two other Ohio counties receiving late-arriving ballots that were mailed on or before April 27 election deadline.

An "unintentional missort" of more than 300 ballots caused them to be delivered too late to be counted by the Butler County Board of Elections, according to the U.S. Postal Service's chief operating officer.

But Ohio Secretary of State Frank LaRose wants more answers.

LOCAL NEWS: [Gov. Mike DeWine addresses Miami University in digital graduation message](#)

"The response left us with some unanswered questions, and that's why Secretary LaRose has already requested greater detail about the new protocols that will be instituted and confirmation that the ballots were always secure while in the possession of the USPS," said Maggie Sheehan, Secretary of State spokeswoman.

The U.S. Post Office delivered [318 vote-by-mail ballots](#) on Monday, May 11, three days after the May 8 deadline to receive any absentee ballots. Butler County elections officials said the ballots were mailed on or before the April 27 deadline to be considered for the count of the official run of the election, which is scheduled for today, May 19.

The Butler County Board of Elections had received 338 late vote-by-mail ballots by May 8, according to elections officials. Butler County elections' Deputy Director Eric Corbin said Cincinnati postal officials told the office there were no additional absentee ballots.

U.S. Postal Service Chief Operating Officer and Executive Vice President David E. Williams said in a letter to Ohio Secretary of State Frank LaRose the postal service followed to its processes for delivering absentee ballots.

"An unintentional missort of a tray of Butler County return ballots ultimately contributed to a gap in the mail flow, resulting in the delay," Williams wrote.

<https://www.journal-news.com/news/postal-service-says-missort-caused-late-delivery-more-than-300-ballots-butler-county/30hGBU3iLtu7NyXoknuJZI/>

JOURNAL-NEWS

Butler County's Local News Now

LOCAL NEWS: [Will students show up, pay for college classes? Examining the financial fallout](#)

He said the issue has been identified as “an opportunity for improvement.”

Butler County elections officials called the mistake by the postal service “very disheartening.”

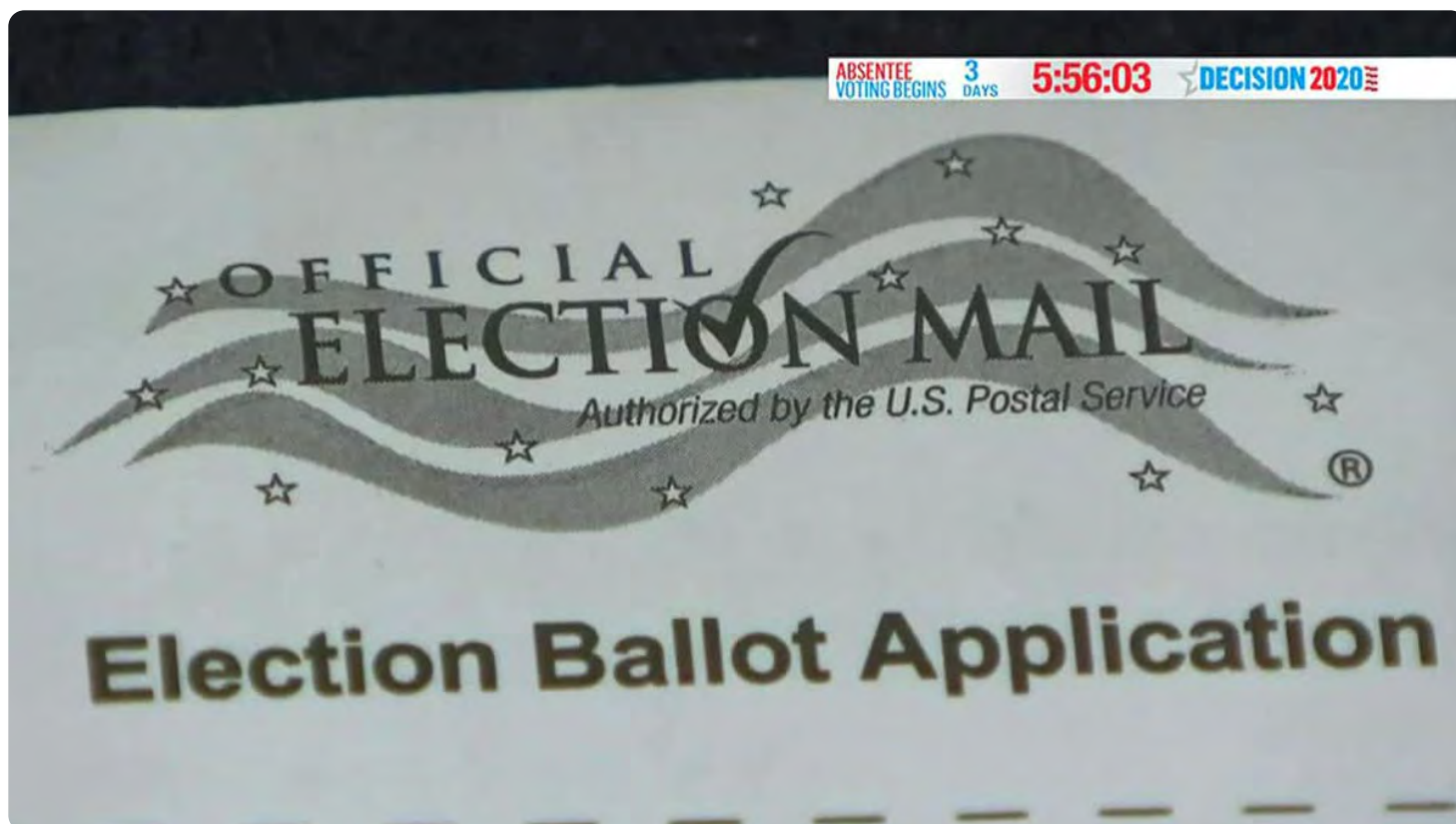
Sheehan said Butler County was the report of a county elections office in Ohio to have ballots that were in the U.S. Postal Service’s possession for at least 14 days delivered late. The office later received reports of Geauga County receiving 26 ballots late and Lucas County with 13 ballots late.

“We brought this to the attention of the USPS,” she said.


Exh. A-9

Exh. A-09	
Title	WHIO Staff. "Secretary of State: More than 1.3 million Ohioans have asked for absentee ballot applications." <i>WHIO TV7</i> , 15 Sep. 2020.
URL	https://www.whio.com/home/more-than-13-million-ohioans-have-asked-absentee-ballot-applications-secretary-state-says/LYBGMPA7ERHKLAACKG53XKJPCVM/
Subject Matter(s):	"County board of elections statewide have received 1,398,347 absentee ballot applications, Ohio Secretary of State Frank LaRose reported Tuesday, more than double the number of such ballots asked for during the 2016 election."


Secretary of State: More than 1.3 million Ohioans have asked for absentee ballot applications



Absentee ballot requests in Ohio surpass 1 million

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By: WHIO Staff

Updated: September 15, 2020 - 10:07 PM

COLUMBUS — County board of elections statewide have received 1,398,347 absentee ballot applications, Ohio Secretary of State Frank LaRose reported

Tuesday, more than double the number of such ballots asked for during the 2016 election.

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Other ballots will be mailed starting Oct. 6. As of Tuesday, there are 13 days remaining until Election Day.

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At the same time during the 2016 election, 524,631 absentee ballots had been requested, he said, noting that all data is current as of Sept. 11.

Ohio's population is 11.6 million, according to the latest census data.

"Ohioans continue to show incredible confidence in our absentee voting system, and our county boards are well-equipped to handle the surge in requests," LaRose said in a prepared statement.

To prepare Ohio boards of elections for the large amount of voters requesting absentee ballots this year, LaRose sent 87% of Ohio's \$12.8 million CARES Act allocation directly to the county boards to strengthen their election infrastructure, hire temporary personnel, and more.

>> RELATED: [What you need to know about absentee ballots, in-person voting](#)

LaRose said voters intending to use the absentee ballot option should consider the following best practices:

- Fill in information properly. Review the form to ensure you have filled it out properly, including writing your date of birth where required, not the day's date, as well as signing the form.

- Include your e-mail and/or phone number. For the first time in a general election, county board of elections will be calling or e-mailing voters who may need to remedy information on their ballot request form or absentee ballot envelope.
- Don't wait. To accommodate necessary processing time at the county board of elections and the time required for the U.S. Postal Service to deliver elections mail, fill out and mail your absentee ballot request as soon as possible. By law, ballots are not sent out (other than for overseas voters) until Oct. 6.
- Double check your return envelope. Before you submit your ballot request form, make sure the envelope is addressed to your county board of elections.
- Track your ballot. Once your ballot request is received by your county board of elections, you may track it at VoteOhio.gov/Track. Your vote will be counted as long as your ballot is postmarked by the day before the election and received within 10 days after the election at your board of elections.

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Popular Stories

Exh. A-10

Exh. A-10	
Title	Stahl, Jeremy. "This Is Still Happening: Louis DeJoy, Postmaster General." <i>Slate</i> , 08 Sep. 2020.
URL	https://slate.com/news-and-politics/2020/09/this-is-still-happening-louis-dejoy.html
<p>"As a consequence of some or all of the changes—whether they originated with DeJoy or not—on-time delivery plummeted in mid-July, from about 93 percent to 83 percent. That loss of output has proved disastrous. The result has been countless stories of horrifying mail delays, such as reports of dead farm animals undelivered to rural farms, or rotting meat shipments, or an elderly Holocaust survivor who was left without his reparations check, or many, many, many stories of veterans and seniors not receiving prescription drugs on time."</p>	

POLITICS

This Is Still Happening: Louis DeJoy, Postmaster General

A roundup of Trump administration malfeasance, Part 11.

By JEREMY STAHL

SEPT 08, 2020 • 5:50 AM



Photo illustration by Slate. Photo by Tom Williams-Pool/Getty Images.

This Is Still Happening is a feature in which Slate will attempt to offer an update on senior-level administration corruption, what could be done to bring the officials to account, and what Democrats are doing in response (generally, nothing). The 11th installment is about the postmaster general and Trump megadonor who is dismantling the United States Postal Service.

The Official: Louis DeJoy, postmaster general

What Is Still Happening: The mail keeps arriving late, even after a wave of national attention about the summer's breakdown of the United States Postal Service under its recently installed postmaster general. And it appears, after DeJoy made a pair of congressional appearances amid a flurry of campaign news, that he is still covering up the extent to which he has debilitated Postal Service operations in the leadup to an election that will involve the highest levels of mail-in voting in history and which his boss, the president, has promised to sabotage by crippling the Postal Service. Oh, and also he may have committed a bunch of campaign finance felonies before entering the job. But we'll get to that later.

DeJoy's changes, which he claimed would increase efficiency, caused on-time delivery to deteriorate by at least 10 percent. Despite the hearings, numbers released just last week show that service still hasn't recovered; meanwhile, it was reported that top Postal Service officials were already preparing excuses for ballot delivery delays, even after the postmaster promised state election officials and Congress that his organization would deliver ballots "securely and on time."

DeJoy was named as postmaster general in May. There were many unusual things about the appointment. For one, DeJoy is the first postmaster general in 20 years not to have worked for the Postal Service. Second, the main reason DeJoy got the job seems to be that he has been a longtime Republican megadonor—prior to taking the gig, he was due to be the national finance chairman for last month's Republican National Convention. Third, DeJoy was not on the list of 212 candidates elevated by the consulting firm that was in charge of recruitment for the position. Indeed, he was recommended by the Trump-appointed chairman of the USPS board of governors, Robert M. Duncan, another longtime Republican megadonor and a former chairman of the Republican National Committee. This happened after Duncan reportedly met with Trump Treasury Secretary Steven Mnuchin about the previous postmaster's ouster. And as Slate's Aaron Mak reported, DeJoy's interview process was considered quite literally a "joke" among the Trump-appointed members of the board of governors that decided the hire.

Once DeJoy was in the job, things became even more unusual. First, as part of a plan to cut costs, he mandated in July that carriers make changes to schedules that would dramatically cut hours and result in "mail left behind or mail on the workroom floor." As these changes were taking place, midlevel managers reportedly circulated a memo saying that overtime would be "eliminated." Meanwhile, a plan—that apparently predated DeJoy's arrival—began to take out of operation 671 mail sorting machines this year, more than double the amount decommissioned in the past two years combined. The sorting capacity reduction was to take place in some of the country's largest urban centers and in critical swing states. There

were also widespread reports around this time of removals of blue mailboxes across the country. Finally, the Postal Service sent a letter in July to 46 states warning them that the Postal Service might not be able to meet deadlines for delivering election mail.

As a consequence of some or all of the changes—whether they originated with DeJoy or not—on-time delivery plummeted in mid-July, from about 93 percent to 83 percent. That loss of output has proved disastrous. The result has been countless stories of horrifying mail delays, such as reports of dead farm animals undelivered to rural farms, or rotting meat shipments, or an elderly Holocaust survivor who was left without his reparations check, or many, many, many stories of veterans and seniors not receiving prescription drugs on time.

It's still an open question whether the changes that resulted in the widespread breakdown in service were motivated by sabotage or mere business-executive hubris. Earlier this year, the Washington Post reported that Mnuchin attempted to leverage a \$10 billion emergency loan to take control of Postal Service financial operations and package rates. Postal Service employees have said that they are concerned the changes are part of a plot to privatize the Postal Service. A board of governors vice chairman who stepped down in April due to politicization of the Postal Service, meanwhile, alleged that Mnuchin had sought to raise shipping prices in an effort to hurt Amazon on behalf of President Donald Trump. For his part, the president has said that he was blocking funding requests for the Postal Service because “they need that money in order to have the post office work so it can take all of these millions and millions of ballots.”

Whatever the motive is, the outcome is clear. Even after the uproar around the Postal Service resulted in DeJoy backtracking on a small and unspecified number of changes and promising to deliver election mail on time, delivery rates are still way down. While they have recovered slightly from the August trough, the USPS reported last week that on-time delivery was still 5 percent below normal standards in the last week in August. And in the face of expedited discovery demands as part of mounting lawsuits and a congressional subpoena sent last week, DeJoy *still* wouldn't commit to offering regular updates on service conditions or to providing the documentation explaining his moves.

The election, meanwhile, is two months away.

How Long It Has Been Going On: While the battles over USPS budget shortfalls have been going on for years and the COVID-19 pandemic has had an effect on the Postal Service's capacity since the spring, this summer's collapse in service is the direct result of DeJoy's elevation to the job. On July 10, DeJoy issued a memo announcing his changes. Service crashed the very next day and had not come close to recovering as of the last week of August, the most recent period for which there is public data.

As noted, prior to rapidly dismantling one of the oldest and most-cherished American institutions, DeJoy's main occupation was raising bundles of cash for Trump and the Republican Party. In the past four years, he donated \$1.2 million to the Trump Victory Fund, hundreds of thousands to individual Republican congressional candidates and campaign committees, and more than \$1.3 million to the Republican National Committee.

As a side note, DeJoy's pay-to-play lifestyle reportedly extends to his family life. It was reported in late August that he donated \$2.2 million to Duke University at a time that his son was invited to be a walk-on member of the school's highly ranked tennis team.

DeJoy's fortune was accumulated through his logistics company, whose labor practices included union-busting, a bevy of labor violations, a major sexual harassment settlement, and working several pregnant employees to the point that they miscarried.

Indeed, one of the items that should only further disqualify DeJoy from his position is his continued \$30 million financial stake in that company, which has contracted with USPS to the tune of hundreds of millions of dollars since 2013, including at least \$14 million in the first three months of DeJoy's tenure, which is about \$10 million more than the same period in 2019 and about \$9 million more than the same period in 2018. As the Washington Post reported, DeJoy and his wife in total own upward of \$75.3 million "in assets in Postal Service competitors or contractors," coming in part from "millions in a private-equity fund invested in logistics companies that could benefit from privatizing or disassembling the Postal Service."

Finally, over the weekend, the Washington Post reported that DeJoy, during his tenure running Breed Logistics, allegedly pressured employees to contribute to Republican campaigns and then reimbursed them through bonuses in violation of federal and North Carolina election laws. This straw-donor money laundering scheme was described by DeJoy's former longtime director of human resources at Breed and another company employee. Further evidence and testimony documenting the alleged scheme was provided by other employees and through campaign finance records examined by the Post.

DeJoy is under investigation by the Postal Service inspector general for this myriad of conflicts of interest and is potentially now under state investigation for possible criminal conduct, though the federal laws he allegedly violated appear to be outside the five-year statute of limitations for prosecution.

What Would Normally Happen: It's hard to conceive of this level of blatant public corruption—and with worse results for the country—outside of the spoils system of

postbellum America. That was an era when tarring and feathering was not completely uncommon.

What Democrats Have Done: So far, Democrats have surprisingly somewhat mobilized to meet the occasion. Sen. Elizabeth Warren requested and set in motion that aforementioned inspector general investigation. When the scope of the crisis became clear late last month, the House Oversight Committee returned early from recess to hold an emergency hearing with DeJoy, who failed to answer very basic questions—such as the price of a postcard—and was otherwise evasive. In a pair of congressional hearings, DeJoy said he would not commit to sending Congress the analysis he used to make his changes, that he was not responsible for the memo mandating overtime cuts and that he didn't want to find out who was, and that the Postal Service hadn't actually cut overtime but also that the overtime cuts had been rescinded. At the same time, he adamantly refused to allow Postal Service employees to restart the idled sorting machines that needed merely to have outlet cords *plugged back in*.

After DeJoy refused to turn over documents related to his changes, the House Oversight Committee last week issued a subpoena for DeJoy to turn over by Sept. 16 documents related to the ongoing service disruptions and how the changes to service came about, along with DeJoy's personal calendar.

Over the weekend, House and Senate Democrats blasted DeJoy for the alleged campaign finance money laundering scheme. North Carolina Attorney General Josh Stein, meanwhile, sent out a tweet saying that “any credible allegations” of such campaign finance felonies warranted state investigation, but added that it would be inappropriate for him to comment “on any specific matter at this time.” The Washington Post further reported that the State Board of Elections, the Guilford County district attorney, and the Wake County district attorney could play a key role in any criminal investigation.

When DeJoy was asked whether or not he had participated in any sort of straw-donor scheme on behalf of the Trump campaign during his August congressional testimony, he responded indignantly, saying “That's an outrageous claim sir, and I resent it.” He then denied participating in such a scheme. Technically, he may be right: The conduct alleged in the Post report took place between 2000 and 2014, benefiting candidates other than Trump, which would mean that DeJoy's resentment must have been about the supposed time frame, rather than the nature of the criminal conduct itself.

What Is Likely to Be Done: It is unclear whether DeJoy will be made to actually comply with the congressional subpoena, but recent history is not promising. The Postal Service put out a statement criticizing the subpoena, claiming it was cooperating with the committee—

though it was not—and vaguely stating “we fully intend to comply with our obligations under the law.” Many, many, many other officials of this administration have ignored subpoenas and claimed to have been in compliance with their obligations under the law, with little consequence.

The Democratic response has generally been to sue in court, a process that has yet to yield results. Indeed, last week, a panel for the D.C. Circuit Court of Appeals ruled in one such lawsuit that Congress could not have the court enforce its subpoena of former White House counsel Donald McGahn, because Congress had never passed a law specifically requiring that its subpoenas be enforced.

While that case is sure to be appealed and seems to conflict with other appellate level rulings, the clock is running out for this Congress to enforce its subpoenas before they expire. Don't be surprised if DeJoy tries to stall. If he does, the D.C. Circuit panel has ruled that Congress' only option to enforce its subpoena power against him and other members of the administration is to use its long-dormant inherent contempt power to arrest, or possibly fine, witnesses who refuse to comply with subpoenas.

The House Oversight Committee could also investigate the straw donor scheme, even subpoenaing documents from DeJoy's old logistics firm. Indeed, Rep. Jackie Speier, a member of the House Oversight Committee, told the Post that she asked colleagues to begin an investigation. On Monday, staff for Oversight Committee Chairwoman Carolyn Maloney confirmed in a statement that the committee would investigate the allegations. “If these allegations are true, Mr. DeJoy could face criminal exposure—not only for his actions in North Carolina, but also for lying to our Committee under oath,” Maloney said. “We will be investigating this issue, but I believe the Board of Governors must take emergency action to immediately suspend Mr. DeJoy, who they never should have selected in the first place.”

Given the cautiousness with which the Democrats are approaching the looming election, it's hard to imagine them putting DeJoy in handcuffs—or attempting to impeach him—for illegally failing to comply with the subpoena if that's the route he goes, or for his apparent campaign finance felonies. The only mechanism for accountability left at that point will be for Joe Biden to win the election, but for Biden to win, DeJoy first will have to deliver the ballots.

How Impeachable This Stuff Is: If tarring and feathering weren't so morally abhorrent, Louis DeJoy would be a prime deserving candidate. In simple functional terms, he has botched the basic operations of an essential national service, to a degree that would cost any normal administrator his job. And he has done it in a way that benefits the expressed corrupt interests of a president and political party with whom he is deeply—and possibly illegally—entangled, undermining the already undermined public trust in both our current government and in the election with which we would try to replace that government. And he may be making some money out of it all personally, on the side. He certainly should be removed from office before he can do any further damage, even if he won't be because of how broken the U.S. political system is. **10 out of 10.** 🍷

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SLATEGROUP

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Exh. A-11

Exh. A-11	
Title	Cordell, Taneisha. "US Postal service scrambling for funding to ensure mail-in ballots are counted in time." <i>News 5 Cleveland</i> , 14 Aug. 2020.
URL	https://www.news5cleveland.com/news/democracy-2020/ohio-politics/us-postal-service-scrambling-for-funding-to-ensure-mail-in-ballots-are-counted-in-time
Subject Matter(s):	"Ohio Secretary of State Frank LaRose said he pushed to move the deadline to request an absentee ballot up by four days but was unsuccessful."

US Postal service scrambling for funding to ensure mail-in ballots are counted in time

By: [Taneisha Cordell](#)

Posted at 10:35 PM, Aug 14, 2020

and last updated 11:45 PM, Aug 14, 2020

CLEVELAND — Budget cuts couldn't have come at a worse time, according to Cleveland's American Postal Workers Union President Daleo Freeman.

"We're still dealing with COVID going into the fall season on top of...the holiday season," Freeman said. **"Stripping those things away for whatever reason, then our members and our brothers and sisters across the country as well as Cleveland, we're upset about it."**

Freeman said the group is already faced with coronavirus setbacks, including furloughed members and a decline in mailing services. Not to mention doubt surrounding its ability to handle an influx of mail-in ballots this November.

"We are definitely more than prepared, and the people are willing to do it, but when again when you start to strip away the resources that [are] needed then it's going to put a strain on the people," he said.

Case Western Economics Professor Daniel Shoag said cutting back on resources like sorting machines and employee overtime **isn't helpful.**

"We are going to need to give this option to people," Shoag said. **"Our government spends a lot of money on things that are a lot more expensive, so this is really an execution issue, not an affordability issue."**

<https://www.news5cleveland.com/news/democracy-2020/ohio-politics/us-postal-service-scrambling-for-funding-to-ensure-mail-in-ballots-are-counted-in-time>

The changes were handed down by the U.S. Postal Services' new Postmaster General Louis DeJoy after President Donald Trump denied the agency \$26 billion in funding.

The Associated Press reports the U.S. Postal Services sent letters to 46 states, including Ohio, that warn it can't **guarantee all ballots cast by mail** will be delivered in time to be counted. The postal service warns the deadline to request absentee ballots in some states like Ohio is too close to election day.

Ohioans have until Oct. 31 at noon to request an absentee ballot.

"We're seeing these rules being issued with no real advocacy at all on behalf of the need for an effective, efficient mailed ballot processing system," said News 5 Political Analyst Tom Sutton.

Sutton said it raises suspicion.

"You can't help but wonder to what degree is this being done to discourage the vote or to even set up a situation where people will vote in good faith but never have those ballots counted," he said.

Ohio Secretary of State Frank LaRose said he pushed to move the deadline to request an absentee ballot up by four days but was unsuccessful.

Ballots postmarked by Nov. 2 can be counted if received up to 10 days past the election.

RELATED: [Post office removing machines, raising prices, warning of election delays](#)

Exh. A-12

Exh. A-12	
Title	Pagonakis, Joe. "Cleveland postal union reports dismantled sorting equipment, delivery concerns." <i>News 5 Cleveland</i> , 18 Sep. 2020.
URL	https://www.news5cleveland.com/news/local-news/cleveland-metro/cleveland-postal-union-reports-dismantled-sorting-equipment-delivery-concerns
"The controversy over dismantled sorting machines discovered in the back of Cleveland's main post office on Orange Avenue has citizens and postal union leaders concerned about the delivery of mail-in ballots for the November election."	

Cleveland postal union reports dismantled sorting equipment, delivery concerns

By: [Joe Pagonakis](#)

Posted at 10:08 PM, Aug 17, 2020

and last updated 7:38 AM, Aug 18, 2020

CLEVELAND — The controversy over dismantled sorting machines discovered in the back of Cleveland's main post office on Orange Avenue has citizens and postal union leaders concerned about the delivery of mail-in ballots for the November election.

Concerns continue after the U.S. Postal Service told Ohio and other states that it may not meet mail-in voting deadlines because of idled equipment and budget shortfalls that have created worry that the upcoming election could be undermined.

The U.S. Postal Service told News 5 the sorting equipment left outside was not for letters and postcards and issued the following statement:

"The machine was moved months ago and it's just one that was used to process flats (like magazines) which is a class of mail volume that has declined over the years."

However, Nigel Saleem, V.P. Cleveland American Postal Workers Union Local 72 told News 5 other sorting machines that are used for letters and postcards have been taken off-line in recent months and weeks, in what he said appears to be a postal slowdown.

Saleem said he's confident the postal service will be able to handle the flood of mail-in ballots but said if the Trump administration allocated more postal funding it would guarantee success.

<https://www.news5cleveland.com/news/local-news/cleveland-metro/cleveland-postal-union-reports-dismantled-sorting-equipment-delivery-concerns>

“We had several letter sorting machines that were also dismantled,” Saleem said. “They haven’t even moved those machines out of the building. They just dismantled them and they’re just laying there in the middle of the floor.

“It appears to be a slowdown. It’s hard to get in someone’s head to says for sure, but it appears to be a slowdown.

“But when you cut the overtime along with the people not showing up for work for whatever reason, if they’re sick or just being quarantined, that puts a strain on the system, so there is a concern.

“This shouldn’t be partisan, let’s just get the deal done so we can get our jobs done.”

Exh. A-13

Exh. A-13	
Title	Bogage, Jacob. "DeJoy's Postal Service policies delayed 7 percent of nation's first-class mail, Senate Democrat's report says." <i>Washington Post</i> , 16 Sep. 2020.
URL	https://www.washingtonpost.com/business/2020/09/16/dejoy-usps-delays-senate-report/
"Postmaster General Louis DeJoy's controversial midsummer operational directives delayed nearly 350 million pieces, or 7 percent, of the country's first-class mail in the five weeks they were in effect, according to a new report published Wednesday by the Senate's top Democrat in charge of postal oversight."	

DeJoy's Postal Service policies delayed 7 percent of nation's first-class mail, Senate Democrat's report says

The postmaster general suspended some cost-cutting maneuvers but not the moves experts say are behind the worst problems

By **Jacob Bogage**

September 16, 2020 at 1:15 p.m. EDT



Postmaster General Louis DeJoy's controversial midsummer operational directives delayed nearly 350 million pieces, or 7 percent, of the country's first-class mail in the five weeks they were in effect, according to a new report published Wednesday by the Senate's top Democrat in charge of postal oversight.

A month after taking charge of the U.S. Postal Service, DeJoy implemented stricter dispatch schedules on transport trucks that forced workers to leave mail behind and prohibited extra mail trips, leading to well-documented bottlenecks. Managers under him also cracked down on overtime, which postal workers commonly rely on to complete routes, though DeJoy has denied having a role in those cutbacks.

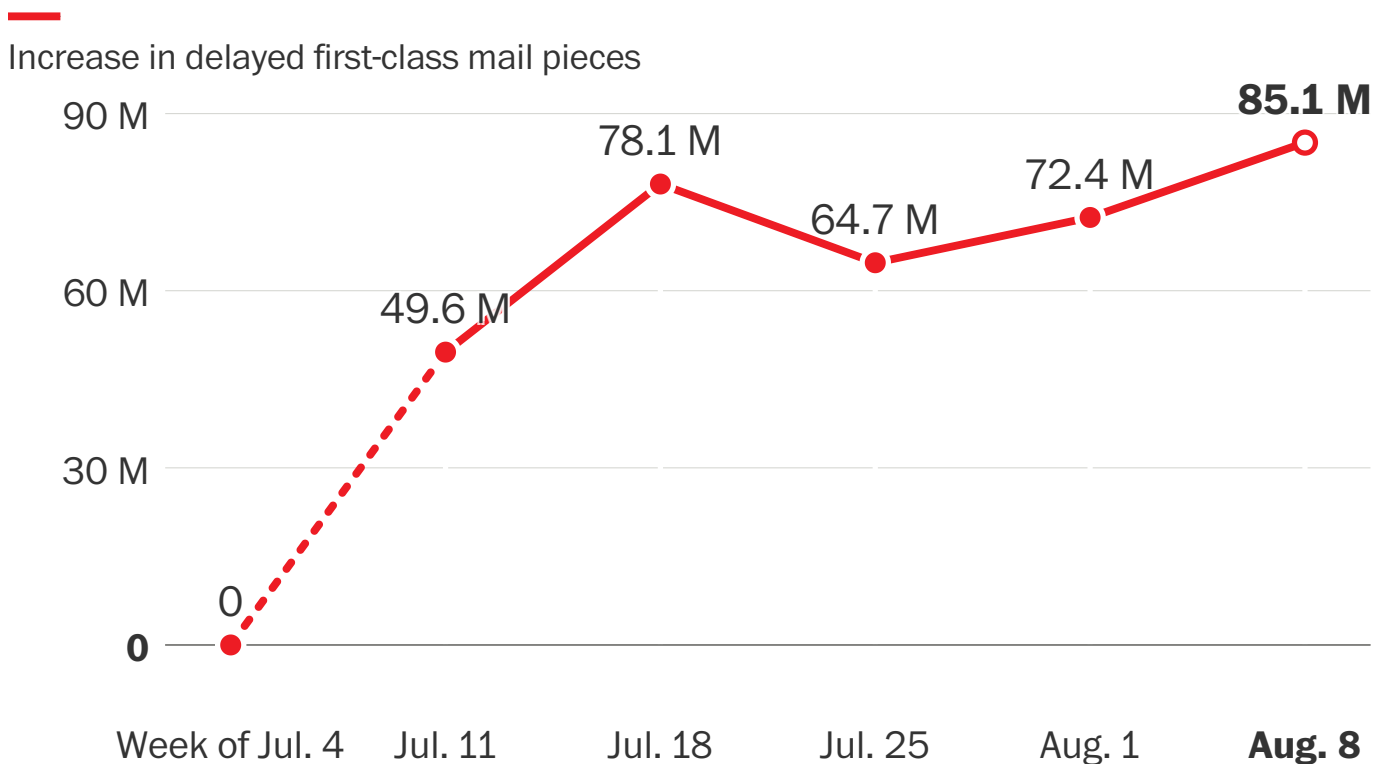
The report portrays an agency whose leadership was barely prepared to implement the new policies, did not anticipate the upheaval they might cause and is still trying to find its balance as the November election draws near and millions of people continue to experience longer wait times for their mail and packages.

Before the changes, the Postal Service routinely delivered more than 90 percent of the nation's first-class mail on time, according to an analysis of USPS data by the office of Sen. Gary Peters (Mich.), the top Democrat on the Senate Homeland Security and Governmental Affairs Committee. Two weeks later, on-time delivery rates hovered near 83 percent, ensnaring prescription medications, benefits checks and ballots in midterm elections.

On-time rates continued to deteriorate, the report said, falling to 85.3 percent the week of July 11, 82.2 percent the week of July 18, 83.6 percent the week of July 25, 82.8 percent the week of Aug. 1 and 81.5 percent the week of Aug. 8. And in crucial regions that could decide the November election, on-time rates fell 20.4 percentage points in northern Ohio, 19.1 percentage points in Detroit and 17.9 percentage points in central Pennsylvania.

DeJoy's policies caused millions of late mail items

The operational changes Postmaster General Louis DeJoy implemented in mid-July delayed 350 million pieces of first-class mail over the succeeding five weeks, according to an analysis of Postal Service and Postal Regulatory Commission data by the office of Sen. Gary Peters (D-Mich.). That's more than 7 percent of the country's first-class mail.



DeJoy's changes took effect during the week beginning July 11.

Source: Senate panel minority staff analysis of U.S Postal Service, Postal Regulatory Commission data

“The results of my investigation clearly show that Postmaster General DeJoy’s carelessly instituted operational changes to the Postal Service resulted in severe service impacts that harmed the lives and livelihoods of Michiganders and Americans,” Peters said in a statement. “I have repeatedly made it clear to Mr. DeJoy that his actions have had consequences for many of my constituents and people across the nation. My report shows his decisions were reckless and caused significant harm to the American people.”

DeJoy suspended some of his cost-cutting maneuvers, including the removal of high-speed mail-sorting machines and public collection boxes, until after the election but said that sorters and mailboxes already taken offline would not be replaced. He left in place his orders on transportation schedules — the most controversial changes — that postal workers and independent experts say are causing the most problems.

Postal Service spokesman David Partenheimer said in an emailed statement that DeJoy’s directives on “getting trucks running on time” caused a “temporary dip in service” and that by Wednesday, USPS trucks were more consistently on schedule.

“By insisting that trucks run on time, we have now seen improvements in all categories of delivery,” Partenheimer wrote. “We are taking the steps necessary to run a world-class, efficient and effective logistics operation that delivers six days a week for the American people.”

Peters’s report recommends that DeJoy reverse his policy directives, including the transportation schedule, and that the USPS commit to treating election mail with first-class privilege, as it has in past years. It also urged Congress to pass the Delivering for America Act, which would prohibit the agency from implementing operating changes that would affect delivery standards until the end of the coronavirus pandemic. That bill passed the Democratic-controlled House last month but has not been taken up by the GOP-run Senate.

DeJoy “failed to conduct any meaningful analysis about how his planned changes could affect customers,” the report said. John Barger, a Republican member of the Postal Service’s governing board, testified last week before Peters’s committee that DeJoy did not inform the board of the changes he was considering and that the Postal Service for a month and a half refused to provide lawmakers any records of the decision-making process driving those policies.

As lawmakers began asking questions about mail service delays, the agency denied enacting any large-scale operational changes, insisting instead that DeJoy was “reemphasizing existing operational plans,” according to a July 22 letter to Peters from USPS General Counsel Thomas J. Marshall.

When David E. Williams, the agency’s chief logistics and processing operations officer, briefed the committee on the initiatives on Aug. 31, the meeting included a single slide on the policies, according to the report. Williams told the panel that the Postal Service was “expecting a service bump” simply because on time “should mean better service” and that the mail service did not use internal data to forecast improvements or declines in delivery times.

The report also contends DeJoy misinterpreted an inspector general’s study on transportation costs, then used that document as the underpinning of his directives. DeJoy, in Senate testimony last month, said the study found \$4 billion in extra costs due to late and additional deliveries, and late dispatch times. But the inspector general’s report identifies only \$550 million in potential cost savings.

“Postmaster General DeJoy’s changes appear to have been focused on cost-cutting based on an inflated estimate, and at a high cost to the American people in terms of delays,” Peters’s report said.

Those delays appeared especially pronounced in prescription medications, according to another Senate report

These delays appeared especially pronounced in prescription medications, according to another Senate report published last week by Sens. Elizabeth Warren (D-Mass.) and Robert P. Casey Jr. (D-Pa.). Four prescription drug providers told Warren and Casey that delivery times this summer have increased by half a day or more, on average, compared with earlier this year or similar time frames in 2019, according to the report. Deliveries that might typically take two or three days were instead taking three to four, the lawmakers said, and one pharmacy in particular saw a “marked increase” in the number of shipping delays of seven or more days.

First-class mail delivery rates recovered some ground in the final week of August, up to 85 percent, but three of the Postal Service’s seven geographic areas could not sustain those gains. On-time rates in the Southern, Western and Capital Metro areas, which include parts of 30 states, all dropped in the first week of September.

Tony Romm contributed to this report.

Exh. A-14

Exh. A-14	
Title	Eaton, Sabrina and Pelzer, Jeremy. "Dismantled equipment behind Cleveland Post Office raises delivery questions." <i>cleveland.com</i> , 17 Aug. 2020.
URL	https://www.cleveland.com/open/2020/08/dismantled-equipment-behind-cleveland-post-office-raises-delivery-questions.html
"As the U.S. Postal Service has warned Ohio and other states that it may not be able to meet mail-voting deadlines this November, the visibly idle equipment along with mail delays and post office budget shortfalls have fueled fears that the upcoming election will be undermined."	



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Ohio Politics

Dismantled equipment behind Cleveland Post Office raises delivery questions

Updated Aug 17, 2020; Posted Aug 17, 2020



Equipment that looks like mail sorting equipment sits in a lot behind the Cleveland main post office near downtown Cleveland on Monday morning, Aug. 17, 2020. The equipment is near the northwest corner of the facility at 2400 Orange Ave. David Petkiewicz, [cleveland.com](https://www.cleveland.com)

By [Sabrina Eaton, cleveland.com](#) and [Jeremy Pelzer, cleveland.com](#)

CLEVELAND - Equipment that appears to be dismantled mail sorting machines sits in a lot behind Cleveland's main post office.

As the U.S. Postal Service [has warned Ohio](#) and other states that it may not be able to meet mail-voting deadlines this November, the visibly idle equipment along with [mail delays](#) and post office budget shortfalls have [fueled fears](#) that the upcoming election will be undermined.

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A U.S. Postal Service spokesperson on Monday assured cleveland.com the sidelined equipment in Cleveland won't affect the election.

"The machine was moved months ago and it's just one that was used to process flats (like magazines) which is a class of mail volume that has declined over the years," said USPS' Naddia Dhalai. She said ballot mail is not included in the class of mail that was sorted on that machine.

But Daleo Freeman, president of the Cleveland postal workers' union, disputed that explanation, saying that four additional sorting machines – all used to process envelopes, not magazines – were also dismantled and left outside in the rain behind Cleveland's post office.

Freeman said all five of the sorting machines had been in use until a couple weeks ago. When union officials asked why the equipment was taken offline, Freeman said, post-office leaders initially said they didn't have the capacity to use the machines.

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But after Louis DeJoy was named postmaster general in mid-June by President Donald Trump, post-office leaders announced the sorting machines would remain out of use permanently, according to Freeman.

Right now, Freeman said, the removal of the sorting machines won't affect service, as the Cleveland post office's remaining machines are able to handle the current amount of mail.

But during periods of high volume – such as the Christmas season, or ahead of an election – the missing machines will lead to service delays, he said.

Freeman said at this point, the machines are no longer usable. “They’re sitting out in the parking lot and getting rained on,” he said.

Freeman said he believes the sorting machines were dismantled as part of a larger effort by the Trump administration to reduce voter turnout this November by hamstringing the postal service's ability to handle mail-in ballots.

“What it seems is that we are people trying to undermine that and trying to go around that and kind of suppress the vote,” Freeman said.

Trump's assaults on mail-in balloting, even as he has requested an absentee ballot to vote from his new residence in Florida, have raised questions over whether he's deliberately trying to sabotage an election that will likely have more mail-in ballots than ever because of reluctance to vote in person during the coronavirus pandemic.

In a news conference over the weekend, Trump said universal mail-in voting would be “catastrophic. It’s going to make our country a laughingstock all over the world.”

“The ballots are lost, there’s fraud, there’s theft, it’s happening all over the place,” said Trump. “Now we’re going to do it with this whole, vast, big section of the country? It’s crazy.”

Orders by DeJoy to sideline sorting machines before the election added fuel to the fire.

A statement from American Federation of Government Employees National President Everett Kelley said Trump “has made no secret about his desire to suppress voting in the November 2020 election,” and called Trump’s “effort to raise doubts about the U.S. Postal Service’s ability to deliver ballots cast by mail” an example of “how he hopes to dissuade Americans from voting.”

“Postal Workers and Letter Carriers both say, unequivocally, that no matter how much the administration tries to undermine trust in the postal system, the system remains fully capable of delivering every single ballot cast by mail in a secure and timely manner,” said Kelley. “The apparent slowdown in mail delivery occurring across the country is hurting senior citizens, veterans, residents of rural areas, and everyone who relies on mail delivery of prescription drugs, paychecks and benefit payments, rent, and other bills. This slowdown must be stopped.”

On Sunday, House Speaker Nancy Pelosi said she’ll call the House of Representatives into session this week to vote on a measure that would block the Postal Service from implementing any changes to operations or level of service it had in place on Jan. 1, 2020.

“But it is not just the most populous counties that are harmed by your order,” continued the letter Brown signed with U.S. House of Representatives members Marcia Fudge of Warrensville Heights, Marcy Kaptur of Toledo, Tim Ryan of the Niles area, and Joyce Beatty of Columbus. “In rural parts of Ohio, voters could be required to travel up to an hour to reach the closest ballot drop box.

“Ohio’s primary this spring provided a number of valuable lessons for election administrators and voting rights advocates to learn how to improve when and how we will vote this fall,” the lawmakers said. “Unfortunately, very little has been done by way of translating those lessons into concrete plans of action to safeguard November’s election. The actions you take in the next month dictate what millions of Ohioans who vote this fall will understand about the effectiveness and adaptability of its state government, and whether or not it will have risen to the circumstances of the moment or succumbed to being, at best, a cautionary tale for mismanagement.”

U.S. Sen. Rob Portman joined several other Ohio Republican members of Congress including Anthony Gonzalez of Rocky River and Bob Gibbs of Holmes County in their own Monday letter that asked DeJoy to coordinate with the state of Ohio to implement procedures to ensure accurate and prompt delivery of election-related materials. The letter urged him to work with LaRose “to implement procedures to protect Ohioans’ constitutional right to vote.”

It suggested that more mail processing occur in Ohio, that nightly all-clear inspections of mail facilities be made to ensure all election-related materials are sent out, and that local postal service representatives build relationships with county election boards and establish election material intakes and drop-offs.

“These suggestions are based on the procedures that were implemented before the Ohio Primary Elections that were held this past spring,” said the letter, which was also signed by Bowling Green’s Bob Latta, Cincinnati’s Steve Chabot and Brad Wenstrup, Marietta’s Bill Johnson, Dayton’s Mike Turner, Zanesville’s Troy Balderson, and Columbus’ Steve Stivers. “We appreciate your full and fair consideration of this request, consistent with applicable statutes and regulations, and look forward to working with you to ensure any issues with the delivery of mail this fall do not impede our constituents’ right to vote.”

Cleveland.com reporters Courtney Astolfi and Seth Richardson contributed to this report.

“Alarming, across the nation, we see the devastating effects of the President’s campaign to sabotage the election by manipulating the Postal Service to disenfranchise voters,” said a statement from Pelosi. “Postmaster General Louis DeJoy, one of the top Trump mega-donors, has proven a complicit crony as he continues to push forward sweeping new operational changes that degrade postal service, delay the mail, and – according to the Postal Service itself – threaten to deny the ability of eligible Americans to cast their votes through the mail in the upcoming elections in a timely fashion.”

Advertisement

U.S. Sen. Sherrod Brown of Ohio told reporters on Monday that he believes the U.S. Senate should also go back into session to pass a measure to assist the post office. He said the postal service’s ability to efficiently deliver holiday mail shows it could handle election mail if it had the proper resources. He argued that DeJoy should resign, because “he’s a political hack who was a Trump megadonor who never worked at the postal service.”

“How can the president say we can’t handle this many absentees or mail in voters yet at the same time they’re taking away mailboxes, they’re taking away sorting machines?” Brown asked.

Meanwhile, Brown joined other Northeast Ohio Democratic members of Congress in a Monday [letter](#) that urged Ohio Secretary of State Frank LaRose to reconsider his decision to bar local election boards from providing more than one secure drop box in each county to collect completed absentee ballots. The letter observed that rural Noble County – with fewer than 8,000 registered voters – would have as many secure ballot boxes as Franklin and Cuyahoga counties – each with more than 850,000 registered voters.

Exh. A-15

Exh. A-15	
Title	Torres, Ella. "Family says USPS lost veteran's remains." <i>ABC News</i> , 22 Aug. 2020.
URL	https://abcnews.go.com/US/family-usps-lost-veterans-remains/story?id=72540895
"The cremated remains of a U.S. Army veteran sent through the mail were delayed reaching their final destination for days, according to the late veteran's family, and they say Postmaster General Louis DeJoy is to blame."	

Family says USPS lost veteran's remains

The Postal Service apologized for the delay, but said remains were not lost.

By **Ella Torres**

August 22, 2020, 9:58 PM • 3 min read



Family says USPS lost veteran's remains due to cost-cutting

A Connecticut woman said her veteran brother's remains were lost for 12 days.

The cremated remains of a U.S. Army veteran sent through the mail were delayed reaching their final destination for days, according to the late veteran's family, and they say Postmaster General Louis DeJoy is to blame.

Army veteran Scott Egan died in July in St. Louis. His sister, Dr. Jean Egan, told New Haven, Connecticut, ABC affiliate WTNH that his remains were supposed to be delivered to their other sister in Maryland within two days of being shipped.

However, she said the remains were lost for 12 days and the postal service has not provided a reason.

+ [MORE: Facing grilling amid uproar, postmaster general insists election mail will be delivered 'on time'](#)

"If Postmaster General DeJoy cannot do his duty to the American public, and military families like mine, that he should be removed from his post," Egan, a resident of Connecticut, said at a press conference Friday alongside Sen. Richard Blumenthal, D-Conn.

Egan said the remains eventually were delivered to her sister in Maryland, but the family is still looking for an explanation as to why the remains took almost two weeks to arrive.

Blumenthal praised the postal worker in Maryland who delivered the remains, saying she "drove for two hours each way, with no overtime, to deliver those remains to Jean's sister."

 LOG IN Brendan McDermid/Reuters

A mail carrier delivers mail in the Brooklyn, New York, Aug. 21, 2020.

The U.S. Postal Service said in a statement to ABC News that they apologized for the delay, though the agency said the package was never lost.

"The Postal Service apologizes to the family for the delay," according to the statement. "There was misdirection given at the point of mailing and we are working with our personnel around the state to, again, raise awareness in proper procedures for handling cremated remains."

Egan said she has not received a formal apology from the Postal Service.

DeJoy has come under fire for allegedly making changes to the agency's operations to help boost President Donald Trump's reelection in November. DeJoy, a former logistics executive and longtime Republican financier, [faced lawmakers](#) on Friday and called those allegations "outrageous."

Editor's Note: This story has been updated to correct the timeline of what happened to the remains between Connecticut and Maryland. The spelling of

Exh. A-16

Exh. A-16	
Title	Lapin, Tamar. "Federal judge blocks US Postal Service changes blamed for mail slowdown." <i>New York Post</i> , 17 Sep. 2020.
URL	https://nypost.com/2020/09/17/federal-judge-blocks-us-postal-service-changes-blamed-for-mail-slowdown/
"A federal judge on Thursday blocked controversial changes within the US Postal Service that have been blamed for a nationwide mail slowdown ahead of the November election, where a record number of mail-in ballots are predicted."	

Federal judge blocks US Postal Service changes blamed for mail slowdown

By Tamar Lapin

September 17, 2020 | 7:35pm



Photo by Theo Wargo/Getty Images

A federal judge on Thursday blocked controversial **changes within the US Postal Service** that have been blamed for a nationwide mail slowdown ahead of the November election, where a record number of mail-in ballots are predicted.

Judge Stanley Bastian in Yakima, Washington, said he would grant a request for a preliminary injunction sought by 14 states that sued the Trump administration and the USPS.

“The states have demonstrated the defendants are involved in a politically motivated attack on the efficiency of the Postal Service,” Bastian said.

“They have also demonstrated that this attack on the postal service is likely to irreparably harm the states’ ability to administer the 2020 general election.”

The 14 states, led by Washington, feared that delays might result in voters not receiving ballots or registration forms in time, as many more people are expected to vote by mail because of the coronavirus pandemic.

They asked the court to immediately halt the USPS' so-called "leave behind" policy, where trucks have been taking off from facilities on time regardless of whether there's more mail to load.

The states also sought to force the agency to treat election mail as First Class mail; that mail-sorting machines that were removed be replaced; and for the postal service to abide to Postmaster General DeJoy's **promise to suspend the recent changes** until after the election.

A lawyer for USPS and the other defendants, including President Trump and DeJoy, argued in court that the agency is prepared to handle the mass of election mail and that delays from the summer have subsided.

Exh. A-17

Exh. A-17	
Title	Pre3sNewsAgency Staff. "How Well The Post Office Functions Could Make Or Break The 2020 Election," <i>Press News Agency</i> , 15 Sep. 2020.
URL	https://pressnewsagency.org/how-well-the-post-office-functions-could-make-or-break-the-2020-election/
<p>"As the 2020 election approaches, the new postmaster general, Louis DeJoy, has prioritized budget cuts over getting people their mail on time. This could imperil voting by mail, which is expected to happen at unprecedented levels during the COVID-19 pandemic."</p>	

[Home](#) > [Politics](#) > [How Well The Post Office Functions Could Make Or Break The 2020...](#)[Politics](#)

How Well The Post Office Functions Could Make Or Break The 2020 Election

 By **PressNewsAgency** September 15, 2020



In 2016, the voter registration deadlines in Florida, Georgia and South Carolina happened to fall around the same date that Hurricane Matthew, the first Category 5 storm to hit the Atlantic in almost a decade, was projected to make a catastrophic landfall.

The Saturday before the hurricane was due to hit, Tammy Patrick's phone rang. Ronald Stroman, No. 2 at the U.S. Postal Service, warned that local post offices would be closed during the storm and wanted to know if he should send postal carriers to Red Cross tents to postmark voter registration forms.

"My god, there's a hurricane coming and the deputy of the U.S. Postal Service is on top of when voter registration deadlines are," Patrick, a senior adviser at the nonprofit Democracy Fund Voice, recalls thinking. "Under previous postmasters, the Postal Service literally moved mountains to make sure things got here on time. So when I say I've heard a change in tone, I'm talking about a fairly dramatic shift."

As the 2020 election approaches, the new postmaster general, Louis DeJoy, has prioritized budget cuts over getting people their mail on time. This could imperil voting by mail, which is expected to happen at unprecedented levels during the COVID-19 pandemic.

But for all the attention the public has paid to mail-in ballots, a well-functioning USPS is equally critical to voting in person.

Because U.S. elections are so decentralized — with thousands of localized rules, deadlines, ballots and precincts — the post office, as a system that successfully connects the entire nation, is a singularly important part.

The mail is how most voters receive official confirmation of their registration and notices about their polling places. The mail is how ballots get from the printer's office to those polling places, and how those polling places are staffed. (Usually, the last steps to becoming a poll worker involve receiving an official appointment by mail and responding by mail.) The mail has to achieve all of this on time. Just one missed deadline in a chain of deadlines — for registration, notification, ballot delivery — can disenfranchise a voter.

The mail, in other words, helps run U.S. elections. And there are fears that this year, it will fall down on the job.

"This is the first time I've heard this tone around election mail," said Patrick, who is an expert on best practices for voting by mail. "It's a massive shift from the overall vision of, 'the mail must go through' to 'the mail can wait.' The mail can't wait. For many voters, one day is too late."

*UNDER PREVIOUS POSTMASTERS, THE POSTAL SERVICE
LITERALLY MOVED MOUNTAINS TO MAKE SURE THINGS GOT
HERE ON TIME.
TAMMY PATRICK, A SENIOR ADVISER AT THE NONPROFIT
DEMOCRACY FUND VOICE*

This summer, DeJoy exacerbated a massive slowdown in the mail by banning extra trips to deliver late mail and by implementing a confusing overtime policy that has left many mail-sorting facilities short-staffed and scrambling — all of which he justified by saying these actions would save the agency billions of dollars.

The Postal Service's head of elections sowed doubt about whether the post office would honor a longtime, informal arrangement to deliver absentee ballots to voters as fast as possible, no matter what postage rates states can afford to pay.

The agency has since reassured states it would deliver election mail speedily and is assembling a task force to help states troubleshoot problems with voting by mail. But time is running out. Some states have already begun to mail ballots.

To top it all off, President Donald Trump has said he opposes more funding for the Postal Service because "that means you can't have universal mail-in voting," something he clearly views as an impediment to his reelection. He has also encouraged his supporters to try to vote twice to test mail-in voting systems.

"For years, we've worked to establish an understanding at the agency of their role in delivering democracy for tens of millions of voters who have their ballot handed to them by a postal carrier and not a poll worker," Patrick said.

For that dedication to break down now could cause a disaster.

Behind-The-Scenes Rescues

All told, thousands of precincts across the country rely on millions of pieces of mail to arrive on time and to their proper destinations. During elections, some local post offices cease to be simply a link in the chain and come to more closely resemble an arm of the election.

Amber McReynolds recalled how, in the 13 years she was the director of elections in Denver, postal carriers and election officials coordinated so that election workers were ready to start counting absentee ballots the minute the post office had sorted them; there was never a wasted moment.

McReynolds remembered at least two occasions when Denver didn't have money to pay the Postal Service — someone in city hall had simply forgotten to refill the postal account — and yet the post office sent out huge shipments of election mail anyway, so that it wouldn't arrive late. Once, that involved postcards that told voters their polling places; another time, a giant booklet that explained Colorado and Denver's ballot initiatives.

"We had this amazing working relationship," McReynolds said. "They knew our birthdays, and we brought them cookies."

It sounds silly, McReynolds conceded, but those relationships matter because local officials so rarely have all the resources they need to run elections smoothly. For example, right now, there are roughly 10,000 different post office accounts set up by countless local election officials to pay for official election mail. Congress could establish a single account for the entire country to use as it does for election mail being sent to the U.S. Military. But Congress hasn't, and so sometimes, the system has to run on generosity.

Patrick has seen her fair share of close calls, too.

Over the years, the printing companies that make absentee ballots have regularly printed envelopes with the wrong barcodes, causing the USPS's automatic sorting machines to send ballots to the wrong cities and counties. In most cases, she said, postal carriers have to step in and sort out the mess by hand.

[THE USPS] MOVED FAST AND GOT IT DONE. THERE WERE STORIES OF LITERALLY 20,000 BALLOTS PULLING UP IN A TRUCK ON ELECTION DAY FROM THE POSTAL SERVICE.

In the 2018 primary season, the Postal Service saved the day when a truck carrying pallets of absentee ballots bound for Provo, Utah, broke down out of state. The printer was trucking ballots into Utah instead of mailing them from its factory to save on postage. The

pallets showed up late on a Friday night, unmarked, and postal officials had to race around their sorting plant to identify the missing ballots and rush them out to voters.

Within 24 hours, every vote-by-mail voter in Provo had their ballot.

"It wasn't even their truck. It was their customer trying to save money" at the Postal Service's expense, said Patrick. "And yet it's been that kind of commitment election officials have come to expect from the post office."

The USPS has already had to scramble to solve election crises created by the global pandemic. This April, COVID-19 sickened nearly 400 postal workers at three mail sorting facilities in Detroit and delayed thousands of primary ballots bound for voters in northwest Ohio. After election officials got wind, just a week before Ohio's primary, the USPS raced truckloads of ballots to its Ohio sorting plants and assigned overtime and investigators to make extra sweeps for ballots that had been left behind.

"They moved fast and got it done," said someone involved in the election. "There were stories, particularly in big counties, of literally 20,000 ballots pulling up in a truck on Election Day from the Postal Service."

But some officials who were instrumental in solving the problem no longer work at the agency or have been sidelined. One was David E. Williams, who was reportedly [swept out of day-to-day operations](#) in August when DeJoy gave the agency a leadership shakeup. Another was Stroman, the former second-in-command at USPS who offered to send postal carriers to hurricane shelters; he [resigned](#) in May.

REUTERS/Andrew Kelly

A USPS employee works in the rain in Manhattan during the outbreak of the coronavirus in New York City on April 13, 2020.

The post office does not always perform perfectly in a crisis. This spring, in New York, state officials abruptly relaxed the rules for voting absentee, leading to a more than eightfold jump in absentee voters compared to the 2016 primary — 1.2 million versus 157,000 — for which few were prepared.

Hundreds of voters may have received ballots too late to vote. At a post office in Brooklyn, workers failed to place a dated postmark on thousands of ballots, causing the New York City Board of Elections to declare about 12,500 ballots invalid (for votes to count, they had to be postmarked on or before Election Day). Two congressional races went undecided for six weeks.

Even this debacle, though, was not the incontrovertible failure of the mail that skeptics made it out to be. (A [Wall Street Journal editorial](#) approvingly quoted state officials who blamed the Postal Service and warned that November may bring "a mail-vote debacle the country might come to regret.")

The delay in getting ballots to voters had a lot to do with the fact that the deadline to request an absentee ballot was too close to Election Day. The night before the primary, New York City elections officials dropped 30,000 blank ballots in the mail. The post office raced them out the door and assigned workers to postmark by hand the thousands of completed ballots that would be arriving at the last minute.

As for the ballots from Brooklyn that were missing postmarks, a federal judge later ruled that the state must count most of them. Because 97% of those ballots arrived at the Board of Elections within two days of the primary, the judge reasoned, it was a fact that they had been mailed on or before Election Day. In other words, the Postal Service had still performed its core function — delivering the mail — with enough reliability to make up for a cascade of other problems.

Postal officials have promised to be just as dedicated in the general election.

"We're still going to do those things that we've done, to try everything we can, when we have a rescue situation, to make that rescue happen. We are completely committed to doing these things," Justin Glass, the director of the USPS's election mail operations, said at a recent panel on the coming election. "Our employees take pride in delivering for boards of elections when we have those issues, and those things are going to continue."

The agency's ability to assign overtime, he added, has not really been cut. "But what we're looking at is, it's gotta be smart. We gotta have smart overtime."

Voting rights advocates say the post office has started working more closely with election officials to prepare for November, leaving them more reassured. But they still find themselves on high alert and wondering if the agency has assigned enough staff, behind the scenes, for the task ahead.

"It's something we're watching very closely, those of us that have worked in this space for a long time," said McReynolds. "What is the post office's plan to support election officials?"

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Exh. A-18

Exh. A-18	
Title	Scripps National. "Many not confident ballot will be counted accurately if they vote by mail, poll shows." <i>News 5 Cleveland</i> , 15 Sep. 2020.
URL	https://www.news5cleveland.com/news/election-2020/many-not-confident-ballot-will-be-counted-accurately-if-they-vote-by-mail-polls-shows
"Just over 3 in 10 people say they're very confident their vote will be counted accurately if they vote by mail. Nearly 7 in 10 say the same thing about voting in person on Election Day. That's according to a new poll from the University of Maryland and The Washington Post."	

ELECTION 2020

Many not confident ballot will be counted accurately if they vote by mail, poll shows

By: Scripps National

Posted at 4:02 PM, Sep 15, 2020

and last updated 5:29 PM, Sep 15, 2020

Support is growing for early voting, but there's still a lot of distrust for voting by mail.

Just over 3 in 10 people say they're very confident their vote will be counted accurately if they vote by mail. Nearly 7 in 10 say the same thing about voting in person on Election Day. That's according to a new poll from the University of Maryland and The Washington Post.

There's a big racial disparity in perceptions about election integrity. About 71% of Black Americans in the poll say **it's easier for white** Americans to vote, while only 34% of white Americans believe that's the case.

“There's a historic trend of distrust in government amongst racial and ethnic minorities,” said Jonathan Collins, education and political science assistant professor at Brown University. **“And instances like this during** the need to transition to mail-in voting. This is where that distrust really kind of rears its head.

Collins studies ethnic minority political behavior. He says campaigns from state attorneys would be helpful to reassure people their mail-in ballots will be counted properly.

The U.S. Postal Service is trying to educate people on its role in the mail-in voting process with TV ads. It says the nonpartisan campaign neither encourages nor discourages mail-in voting.

Collins expects a lot of African Americans are still going to prefer in-person voting.

“There is this sense of pride that you get from showing up to your precinct, to your polling station on Election Day and in-person casting your vote. There's a pride of wearing the 'I voted' sticker around for your friends and our family and your coworkers to see. How do we replicate that feeling of pride?”

About 6 in 10 registered voters nationwide say they want to cast their ballot before Election Day. Compare that to 2016, when about 4 in 10 people cast ballots early.

For mail-in voters worried about their vote not counting, many states allow residents to track their ballot. [NBC News reports](#) that all states allow this, except for the following: Connecticut, Hawaii, Illinois, Indiana, Maine, Mississippi, Missouri, New Mexico, and New York.

Also, many states allow mail-in voters to submit their ballots at designation drop-off boxes, if they don't want to trust the USPS.

Exh. A-19

Exh. A-19	
Title	Naylor, Brian. "Pending Postal Service Changes Could Delay Mail And Deliveries, Advocates Warn." <i>NPR</i> , 29 Jul 2020.
URL	https://www.npr.org/2020/07/29/894799516/pending-postal-service-changes-could-delay-mail-and-deliveries-advocates-warn
"If they're talking about delaying mail, if they're talking about sending letter carriers out to the street, even if the truck is late, that means there's a lot of first-class mail that's going to be left on the workroom floor. And there's an almost cavalier attitude about this," Philip Rubio, a history professor at North Carolina A&T State University and a former letter carrier said.	

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POLITICS

Pending Postal Service Changes Could Delay Mail And Deliveries, Advocates Warn

July 29, 2020 · 12:01 PM ET



BRIAN NAYLOR



Letter carrier Henrietta Dixon, a nearly 30-year veteran, sorts mail to be delivered before she sets out on her route in Philadelphia in May. Changes within the U.S. Postal Service could make some deliveries late.

Matt Rourke/AP

On his first day on the job last month, new Postmaster General Louis DeJoy addressed the nearly half-million U.S. Postal Service career employees in a video message.

He talked of a "trajectory for success" and said that "we will focus on creating a viable operating model that ensures the Postal Service continues fulfilling its public service mission."

That message has since been followed by a number of directives and orders that prompt some to wonder just what DeJoy has in mind for the agency, which dates back to the nation's earliest days.

DeJoy, the nation's 75th postmaster general — a line that stretches back to Benjamin Franklin — is a major donor to President Trump and other Republicans. He previously headed a North Carolina-based logistics company.

POLITICS

Election Officials Worry Postal Changes Could Affect Voting By Mail

Managers have told postal workers that under DeJoy, the post office is about to embark on what's been called a long-overdue "operational pivot." It means that among other things, late-arriving mail will now be left behind by carriers and delivered the next day. Overtime will be eliminated.

Those moves upset some workers, who take seriously the unofficial motto of the Postal Service that holds: "Neither snow nor rain nor heat nor gloom of night stays these couriers from the swift completion of their appointed rounds" — a phrase from the Greek historian Herodotus chiseled into the granite of New York City's general post office.

"There seems to be a sea change here," says Philip Rubio, a history professor at North Carolina A&T State University and a former letter carrier. Rubio says DeJoy seems intent on making the Postal Service more of a business than a service.

Article continues after sponsor message

"If they're talking about delaying mail, if they're talking about sending letter carriers out to the street, even if the truck is late, that means there's a lot of first-class mail that's going to be left on the workroom floor. And there's an almost cavalier attitude about this," Rubio says.





Louis DeJoy, pictured in 2017, became the nation's 75th postmaster general last month. DeJoy's plans for the Postal Service have generated controversy.

Kim Walker/AP

Agency in difficulty

The Postal Service, which doesn't receive any tax dollars for its operating expenses, has longstanding financial issues.

It reported a loss of nearly \$9 billion last year. Some of that is due to a congressional mandate that the post office prepay the health care costs of retirees. Some of it is due to a years-long decline in the volume of first-class mail.

The coronavirus pandemic has also meant a reduction in some mail. But it also meant an increase in package shipping as people shop online from their homes. That has postponed an imminent cash crisis the Postal Service had predicted might strike earlier this summer.

NATIONAL

Postal Service Tests Changes To Mail Delivery System In 200 Cities

Trump has frequently criticized the Postal Service, charging that it gives favorable deals to online retailers such as Amazon, whose CEO, Jeff Bezos, also owns *The Washington Post*, another target of Trump's ire.

Actually, a government study found, e-commerce package deliveries are profitable for the Postal Service — although not sufficient to offset the decline in other types of mail.

Now, shippers who use the Postal Service aren't certain what the changes DeJoy is implementing will mean for their businesses.

Art Sackler is manager of the Coalition for a 21st Century Postal Service, a group of companies that rely on the post office, including Amazon, Hallmark and others.



CONSIDER THIS FROM NPR

Voting By Mail Will Increase Dramatically This Year — And It Could Get Messy

"Having a potentially material change," Sackler says, "without any kind of consultation is a disappointment and hopefully was just, you know, a mistake or a mix-up."

Sackler says that "it looks as if what they're proposing has the potential to delay mail," and that the delayed mail will accumulate.

The unions representing Postal Service employees say they haven't met with DeJoy or been consulted about the changes either.

Postal Service vs. "postal business"



Donna DeWitt at work at the U.S. post office for Isle au Haut, Maine, where she serves about 70 customers. Advocates worry about losing the service in becoming a business.

Robert F. Bukaty/AP

Mark Dimondstein, president of the 200,000-member American Postal Workers Union, says the union is "absolutely opposed to any policies that just slow down the mail in the name of whatever the name is — cost cutting. In this case, it's about service. It's not the 'United States postal business.' It's the United States Postal Service."

Dimondstein says the changes could have real-world consequences, including, he says, delays in delivering medicine, census forms — and even mail-in ballots, adding the notion of leaving mail behind "runs counter to everything" postal workers believe.

One postal worker, who asked not to be identified because the person was not authorized to speak publicly, told NPR of a pharmaceutical company that had complained of delays in picking up its outgoing shipments.



2020 ELECTION: SECURE YOUR VOTE

Signed, Sealed, Undelivered: Thousands Of Mail-In Ballots Rejected For Tardiness

"I am sick to my stomach," the worker said. "How can the United States Postal Service deny the pickup of outgoing mail for any customer — let alone a pharmaceutical company that is mailing medication?"

This worker said the Postal Service used to take pride that every piece of mail went out by the end of the day. Now, the worker says, that's changed, adding: "It's crazy."

For its part, the Postal Service says it is developing a business plan "to ensure that we will be financially stable and able to continue to provide dependable, affordable, safe and secure delivery of mail and packages to all Americans as a vital part of the nation's critical infrastructure."

In addition, the Postal Service says that "by running operations on time and on schedule, we will enhance our ability to be sustainable so that we can continue to

Exh. A-20

Exh. A-20	
Title	Failure to Deliver: Harm Caused By U.S. Postmaster General DeJoy's Changes to Postal Service Mail Delivery: A U.S. Senate Committee on Homeland Security & Governmental Affairs Minority Staff Report (U.S. Senator Gary Peters, Ranking Member) 16 Sep. 2020
URL	https://www.postal-reporter.com/blog/usps-changes-led-to-85-million-late-deliveries-in-a-single-week-senate-democrats-investigation-finds/
Serious mail delivery delays as a result of changes made by Postmaster General DeJoy to the USPS.	



United States Senate Committee on
**Homeland Security &
Governmental Affairs**

U.S. Senator Gary Peters | Ranking Member

Failure to Deliver

**Harm Caused by U.S. Postmaster
General DeJoy's Changes to Postal
Service Mail Delivery**

A HSGAC Minority Staff Report

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EXECUTIVE SUMMARY

In July 2020, U.S. Postmaster General Louis DeJoy, who had been serving as Postmaster General for less than one month, directed widespread changes to United States Postal Service (USPS) operations. Changes under Postmaster General DeJoy's leadership included the elimination of extra and late mail transportation trips, the reduction of equipment at mail processing plants, the start of a pilot program for mail sorting and delivery policies at hundreds of post offices, and reported reductions of overtime. Within weeks, these changes significantly slowed mail delivery across the entire country and, as Senator Peters wrote to Postmaster General DeJoy and detailed in an interim report, "compromised service for veterans, small businesses, rural communities, seniors, and millions of Americans who rely on the mail for medicines, essential goods, voting, correspondence, and for their livelihoods."¹

On August 6, 2020, U.S. Senator Gary Peters, Ranking Member of the Senate Committee on Homeland Security and Governmental Affairs, launched an investigation into the Postal Service delays resulting from operational changes directed by Postmaster General DeJoy. As part of his investigation, Senator Peters invited the public to provide information about their recent experiences. He received over 7,700 submissions from Postal Service employees, constituents, and individuals across the country sharing concerns about the impacts of these changes. Senator Peters also repeatedly requested information from the Postal Service regarding these changes, and called on Postmaster General DeJoy to address conflicting prior statements and remaining unanswered questions when he testified before the Senate Homeland Security and Governmental Affairs Committee on August 21, 2020.

At the direction of Ranking Member Peters, this report evaluates the extent of the harm caused by Postmaster General DeJoy's directives, the reliability of claims made about who ordered these changes and how and why they were made, and the extent of service delays as a result of these changes. This report also assesses the Postal Service's procedures for moving election mail and its responses to public concerns about readiness for high volumes of election mail in 2020.

This report finds that on-time mail delivery dropped abruptly throughout the U.S., following Postmaster General DeJoy's July 2020 directives. By the second week of August 2020, on-time delivery of First-Class mail nationwide had fallen nearly 10 percentage points compared to the first week of July 2020, prior to Postmaster General DeJoy's changes – a drop that represents approximately **85 million more late deliveries** in that single week than would have otherwise occurred.² Widespread delays have continued over the two months since the changes began. Although service has shown some improvement by the beginning of September 2020, on-time delivery rates remain below the levels of the weeks prior to the beginning of Postmaster General DeJoy's tenure.

¹ Letter from Ranking Member Gary C. Peters, to Louis DeJoy, Postmaster General and Chief Executive Officer, U.S. Postal Service (July 17, 2020); Letter from Ranking Member Gary C. Peters et al. to Louis DeJoy, Postmaster General and Chief Executive Officer, U.S. Postal Service (July 30, 2020); United States Senate Committee on Homeland Security & Governmental Affairs, Ranking Member Peters Minority Report, *Interim Report on the Threat of Postmaster General DeJoy's Postal Service Delays* (Aug. 21, 2020).

² Estimate based on USPS First-Class mail volume data (4.15 billion pieces of First-Class mail in July 2020). "USPS Financial Dashboard for the month of July 2020," (copy on file with Committee) and staff analysis of USPS Weekly Service Performance data (copy on file with Committee).

In addition, this report finds that Postmaster General DeJoy failed to consider the likely service impacts of the transportation changes he ordered in July 2020. Postmaster General DeJoy did not conduct any analysis of the service disruptions and delays his directives could cause. He moved to abruptly and dramatically cut late and extra trips from processing centers, without addressing underlying factors, despite available information on likely negative impacts. As a result, this report finds that delays were more severe. While he has since admitted to ordering the July 2020 mail transportation changes, Postmaster General DeJoy initially refused to acknowledge his role, has denied playing a role in other changes reported by postal workers and constituents, and has continued to minimize the magnitude of the service problems and the impacts these changes have had on millions of Americans across the country.³

³ Letter from David E. Williams, Chief Operating Officer and Executive Vice President, U.S. Postal Service, to Ranking Member Gary C. Peters et al. (Aug. 6, 2020); Letter from Thomas J. Marshall, General Counsel and Executive Vice President, U.S. Postal Service, to Ranking Member Gary C. Peters (July 22, 2020).

FINDINGS OF FACT

- 1. Changes directed by Postmaster General DeJoy slowed mail service across the country.** On-time mail delivery fell abruptly following Postmaster General DeJoy's July 2020 directives ordering operational changes to mail service and delivery. By the second week of August 2020, on-time delivery of First-Class mail nationwide had fallen nearly 10 percentage points compared to the week preceding the changes. This means approximately **85 million more deliveries were late in a single week**, compared to what the late deliveries would have been that week under on-time delivery rates before the changes.
- 2. Some parts of the country saw on-time delivery drop by 15-20 percentage points in the weeks following Postmaster General DeJoy's July 2020 changes.** Every one of the Postal Service's 67 Districts across the country saw a decline in on-time delivery of First-Class mail during the weeks following Postmaster General DeJoy's July 2020 directives. In Central Pennsylvania, Northern Ohio, the Ohio Valley, Detroit, and Honolulu, on-time delivery of First Class mail fell by 15-20 percentage points over the four-week period starting on July 11, 2020, compared to the four-week period preceding Postmaster DeJoy's start at USPS. **In the Detroit District, on-time delivery fell from 84.8 percent to 65.7 percent during this period, a 19.1 percentage point drop.**
- 3. Postmaster General DeJoy was not transparent about the operational changes he directed and has downplayed their damaging effects on seniors, veterans, small businesses, and others across the country.** Within one month of beginning his tenure as Postmaster General on June 15, 2020, Louis DeJoy directed significant changes to Postal Service operations but initially declined to acknowledge his role in these changes. He has since failed to fully acknowledge severe and widespread delays even after they were apparent for weeks, and the impact of these delays, including on delivery of needed medicine, or for shipping, payments, and other vital services for small businesses and the public.
- 4. Postmaster General DeJoy failed to consider the likely service impacts of the transportation changes he ordered in July.** Mr. DeJoy moved to dramatically cut late and extra trips from processing centers, but did not assess or even request any analysis of the service disruptions and delays his directives could cause. From July 5 – 19, 2020, the Postal Service cut the number of weekly extra trips from approximately 15,000 to under 5,000, and cut weekly late trips from over 30,000 to under 8,000. These actions disregarded the likely negative impacts of displacing the mail carried on those trips, as well as the findings of a previously released Inspector General report that extra and late trips are used to mitigate delays in the network and that USPS should address the underlying causes of delays.
- 5. Nearly two months after Postmaster General DeJoy mandated operational changes, on-time delivery has still not fully rebounded.** While there has been improvement following the steep drop in July, as of September 4, 2020, nationwide on-time delivery of First-Class mail remains below the levels during the weeks prior to Postmaster DeJoy's arrival. During the week of August 29 – September 4, 2020, on-time delivery began declining again in many parts of the country.

6. **Accounts from USPS workers contradict Postmaster General DeJoy’s statements about the status of certain operational changes, including limitations on overtime – and the Postal Service has still not answered questions about these conflicting reports.**

Postmaster General DeJoy has repeatedly denied making changes to USPS overtime policies. However, information and accounts from employees across the country contradict these claims. The Postal Service has not provided any explanation for these discrepancies.

7. **The Postal Service has robust procedures to swiftly move election mail, but it remains to be seen whether these procedures will be followed.** The Postal Service has provided its election mail procedures in documents to the Committee and made public commitments to follow these procedures as well as unwritten practices – including moving election mail by the First-Class service standard. However, the Postal Service has not consistently followed its election mail procedures during the 2020 election cycle, and further significant delays and backups would jeopardize its ability to do so. The Postal Service has responded to congressional pressure by putting a greater focus on election mail, but additional oversight will be necessary to determine whether USPS will meet its stated objectives.

RECOMMENDATIONS

1. **The Postmaster General should cease and reverse actions that are causing mail delays.** The Postmaster General failed to analyze the impact of his actions on mail delivery for Americans. Postmaster General DeJoy should halt all changes and practices that continue to cause mail delays for Americans. If the Postmaster General does not halt such changes, the Board of Governors must use its authority to do so.
2. **Congress should pass the *Delivering for America Act*, which Senator Peters has introduced to prevent the Postmaster General from making any further changes that could harm service during the COVID-19 pandemic.** Americans count on reliable service from the Postal Service, particularly during this public health crisis. Making any big changes at the Postal Service during this time is not only risky, it puts Americans' lives at risk. The *Delivering for America Act* would prohibit the Postmaster General and USPS leadership from implementing any changes that would disrupt operations and services during the COVID-19 public health emergency, including:
 - Any change that would prevent the Postal Service from meeting its service standards or cause a decline in service performance.
 - Any change that would have the effect of delaying mail, allowing for the non-delivery of mail to a delivery route, or increasing the volume of undelivered mail.
 - Any closure, consolidation, or reduction of hours of a post office or facility.
 - Any prohibition on payment of overtime to Postal Service officers or employees.
 - Any removal, decommissioning, or other stoppage of mail sorting machines, other than for routine maintenance.
3. **The Postal Service should follow policies and practices for swiftly delivering election mail, including treating all election mail as First-Class mail.** Postmaster General DeJoy must follow through on his promises to follow all election mail procedures. The Postmaster General and Board must ensure the Postal Service continues to strictly follow its practice of treating election mail as First-Class mail, delivering it using the highest service standard. The Postal Service must also carry out proper procedures to ensure mail is swiftly processed and not lost. This requires that leadership first eliminate any changes that are causing backups and delays.
4. **The Postal Service should consult with Congress and stakeholders before enacting any future changes.** Postmaster General DeJoy's changes, portrayed as a necessary approach to cost-cutting at the Postal Service, without regard to the chaos it has caused for Americans, raises significant concerns about his approach to the Postal Service's future. Before making operational changes in the future, the Postmaster General must conduct robust analysis, consult with stakeholders, follow all laws pertaining to Postal Regulatory Commission input and public consultation, and ensure there are no negative effects on mail service. Postmaster General DeJoy and the Board, who are currently formulating a 10-year plan for the Postal Service's operations and solvency, must not take the approach of cutting services to pad the bottom line. They must engage with stakeholders, Congress, and the American people about the future of the Postal Service, which belongs to the people.

BACKGROUND

The U.S. Postal Service is an independent establishment of the executive branch, obligated to “provide postal services to bind the Nation together through the personal, educational, literary, and business correspondence of the people” and “render postal services to all communities.”⁴ Founded in 1775 as the Post Office Department of the United States, it has served Americans for over 245 years. The Postal Service delivers to every household and business in the United States, approximately 160 million delivery points, six days a week.⁵ It processes 48% of the world’s mail and is central to the \$1.6 trillion mailing industry, which employs over 7.3 million people in this country.⁶ It consistently has the highest approval rating of any federal agency in nonpartisan opinion polls.⁷ Over 630,000 postal employees serve their neighbors daily, delivering crucial goods and correspondence.⁸

Financial Challenges

The Postal Service has faced significant financial challenges over the last decade, with losses driven by gradual shifts in the mail market, as well as unsustainable financial obligations imposed by Congress, particularly the unique requirement to prefund retiree health benefits. First-Class mail volume has declined by 3-5% annually in recent years,⁹ while packages have grown substantially from 11% of USPS revenue to over 30%, as the Postal Service increasingly competes in the e-commerce market.¹⁰ The Postal Accountability and Enhancement Act of 2006 imposed a burdensome mandate on the Postal Service to prefund future retiree health benefits for all current employees on an aggressive schedule over 10 years by depositing approximately \$5.4 billion annually in an on-budget fund.¹¹ The prefunding mandate, which has not been imposed on any other private sector company or agency, drove the Postal Service into mounting levels of debt and prevented it from making key investments. It remains a key driver of the Postal Service’s financial situation even though it began to default on these payments in 2012.¹²

⁴ 39 U.S.C. § 101.

⁵ U.S. Postal Service, *FY2019 Annual Report to Congress* (Dec. 8, 2019).

⁶ U.S. Postal Service, Postal Facts (<https://facts.usps.com/size-and-scope>) (accessed Sept. 13, 2020).

⁷ *Postal Service Still Americans' Favorite Federal Agency*, Gallup (May 13, 2019) (<https://news.gallup.com/poll/257510/postal-service-americans-favorite-federal-agency.aspx>).

⁸ U.S. Postal Service, *2019 Report on Form 10-K* (Nov. 14, 2019) (<https://about.usps.com/what/financials/10k-reports/fy2019.pdf>).

⁹ U.S. Postal Service, *2019 Report on Form 10-K* (Nov. 14, 2019) (<https://about.usps.com/what/financials/10k-reports/fy2019.pdf>); U.S. Postal Service, First-Class Mail Volume Since 1926 (Number of Pieces Mailed, to the Nearest Million) (<https://about.usps.com/who-we-are/postal-history/first-class-mail-since-1926.htm>).

¹⁰ U.S. Postal Regulatory Commission, *Fiscal Year 2017 Financial Analysis of United States Postal Service Financial Results and 10-K Statement* (Apr. 5, 2018) (<https://www.prc.gov/docs/104/104498/PRC%20FY2017%20FINANCIAL%20REPORT%20FINAL.pdf>).

¹¹ U.S. Postal Service Office of Inspector General, *Federal Budget Treatment of the Postal Service* (Aug. 27, 2009) (<https://www.uspsoig.gov/sites/default/files/document-library-files/2015/ESS-WP-09-001.pdf>).

¹² U.S. Postal Service, *2019 Report on Form 10-K* (Nov. 14, 2019) (<https://about.usps.com/what/financials/10k-reports/fy2019.pdf>).

Impact of the COVID-19 Pandemic

The Coronavirus pandemic and resulting economic crisis accelerated Postal Service losses and dealt a serious financial blow to this critical agency, like many other organizations. The Postal Service is facing significant mail volume and revenue losses due to the pandemic, as well as additional costs including personal protective equipment (PPE), cleaning, and necessary sick leave. In April 2020, the Postal Service predicted it would lose over \$22 billion over the following 18 months and a total of \$54 billion over 10 years due to the pandemic and economic crisis, and requested \$75 billion in financial relief from Congress.¹³ In June, the Postal Service revised these projections due to a temporary surge in package volumes, but still predicted over \$52 billion in medium-term revenue losses and costs connected to COVID-19 and over \$22 billion in revenue losses and costs through FY22 under an extended recovery.¹⁴

Postal Service employees have served as essential workers during the pandemic, providing critical mail to Americans every day. They have also suffered from illness and taken necessary sick and family leave. The Postal Service has struggled with significant national and international market and transportation disruptions during the pandemic, as well as high rates of employee illness and workforce shortages in some areas.¹⁵ These challenges have in some cases created service disruptions, but the Postal Service has worked hard to maintain reliable service, prior to the steep decline in service performance caused by Postmaster General DeJoy.

Selection of Postmaster General DeJoy

The Postmaster General is the head of the USPS, and is appointed by the Postal Service Board of Governors. On October 16, 2019, Megan Brennan – who had served as Postmaster General since February 2015 – announced that she would retire in early 2020.¹⁶ After a lengthy search process, the Board of Governors selected Louis DeJoy to be the nation’s 75th Postmaster General, and he was sworn in on June 15, 2020.¹⁷

Ethics/conflicts concerns

Shortly after the start of Postmaster General DeJoy’s tenure, questions emerged regarding potential conflicts of interest and allegations of politically-motivated decisions. In September

¹³ U.S. Postal Service, Briefing with Senate Committee on Homeland Security and Governmental Affairs and House Committee on Oversight and Reform Staff (Apr. 10, 2020). *See also* House Committee on Oversight and Reform: *Postmaster General Warns Committee of Dire Consequences Without Congressional Action* (Apr. 9, 2020).

¹⁴ U.S. Postal Service, Briefing with Senate Committee on Homeland Security and Governmental Affairs and House Committee on Oversight and Reform Staff (June 18, 2020).

¹⁵ Pandemic Response Accountability Committee, *Top Challenges Facing Federal Agencies: COVID-19 Emergency Relief and Response Efforts* (June 2020) (https://www.oversight.gov/sites/default/files/oig-reports/Top%20Challenges%20Facing%20Federal%20Agencies%20-%20COVID-19%20Emergency%20Relief%20and%20Response%20Efforts_1.pdf).

¹⁶ *United States Postal Service Announces Retirement of Postmaster General Megan J. Brennan*, PR Newswire (Oct. 16, 2019) (<https://www.prnewswire.com/news-releases/united-states-postal-service-announces-retirement-of-postmaster-general-megan-j-brennan-300939877.html>).

¹⁷ U.S. Postal Service: Board of Governors Announces Selection of Louis DeJoy to Serve as Nation’s 75th Postmaster General (May 6, 2020).

2020, new allegations surfaced claiming DeJoy violated campaign finance laws by reimbursing his employees for donations made to Republican candidates.¹⁸

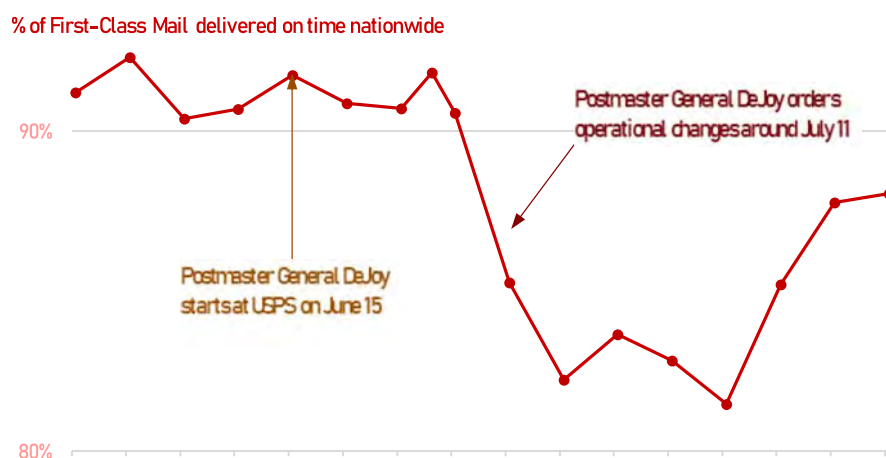
I. SINCE BECOMING POSTMASTER GENERAL, DEJOY HAS FAILED TO BE TRANSPARENT ABOUT HIS ACTIONS AND THEIR IMPACTS ON MAIL SERVICE

A. The Postal Service has given misleading and incomplete responses to questions about recent operational changes

Reported Changes Prompted Concerns and Questions (mid-July)

One month after Postmaster General DeJoy was sworn in as Postmaster General, multiple news outlets reported that he had directed several sweeping changes to Postal Service operations.¹⁹ Reported changes included the elimination of extra mail transportation trips, the reduction of overtime, the start of a pilot program for mail sorting and delivery policies at hundreds of post offices, and the reduction of equipment at mail processing plants. As detailed below, these changes had an immediate and negative impact on mail delivery across the country. *See Figure 1.*

Figure 1



Two documents that appeared to be official Postal Service materials were released by news outlets on July 14, 2020.²⁰

¹⁸ *Postal chief DeJoy under fire over alleged campaign-finance violations*, AP News (Sept. 8, 2020) (<https://apnews.com/b05eb0c7f595de99adcffeed8f7f17f4>).

¹⁹ Alliance of Nonprofit Mailers, *Leaked USPS PowerPoint indicates PMG DeJoy focus on getting operating costs under control* (July 14, 2020) (<https://www.nonprofitmailers.org/leaked-usps-powerpoint-indicates-pmg-dejoy-focus-on-getting-operating-costs-under-control>); *Internal USPS document tells employees to leave mail at distribution centers*, Washington Post (July 14, 2020) (<https://www.washingtonpost.com/context/internal-usps-document-tells-employees-to-leave-mail-at-distribution-centers/175dd1ae-e202-4777-877c-33442338d1cc>).

²⁰ *Id.*

- A “Mandatory Stand-Up Talk [for] All Employees” dated July 10, 2020 described immediate changes to transportation operations aimed at eliminating late and extra trips by mail trucks. See Figure 2.

Figure 2

Mandatory Stand-Up Talk: All Employees

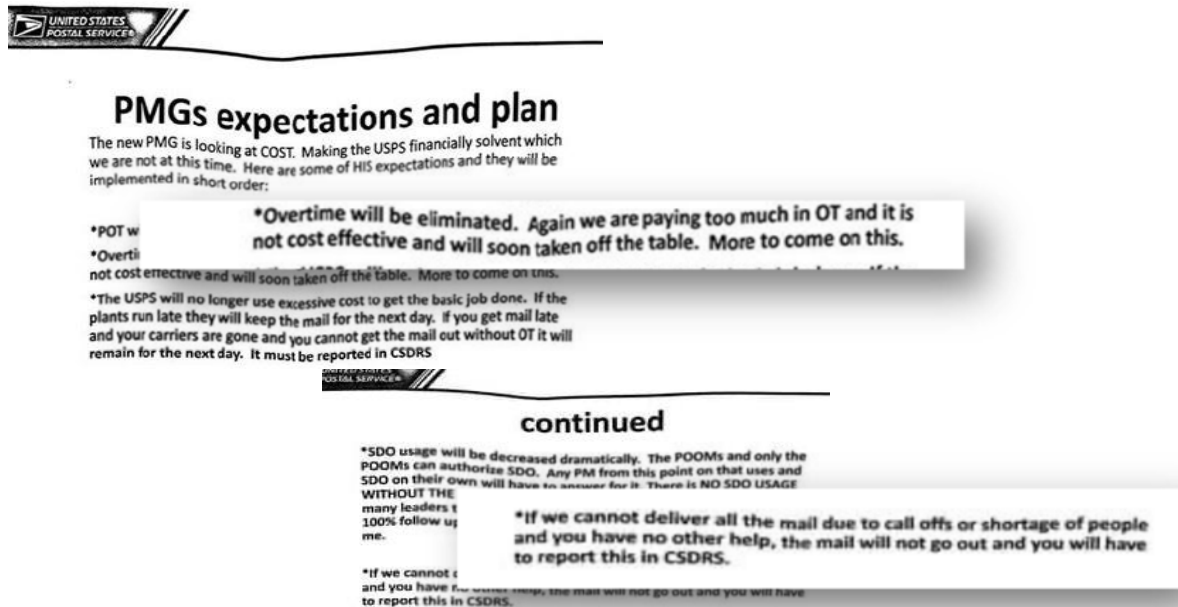
July 10, 2020

Pivoting For Our Future

- The Postal Service has a long history of service to the nation, and we take pride in our ability to deliver mail and packages efficiently, timely, and safely.
- Right now, we are at a critical juncture in our organization and must make immediate, lasting, and impactful changes in our operations and in our culture.
- This operational pivot is long overdue and today, we are talking about the first step in a journey we must take together, for the health and stability of the Postal Service.
- Every single employee will receive this information, no matter what job they perform, so remember that YOU are an integral part of the success we will have – again, by working together.
- The initial step in our pivot is targeted on transportation and the soaring costs we incur, due to late trips and extra trips, which costs the organization somewhere around \$200 million in added expenses.
- The shifts are simple, but they will be challenging, as we seek to change our culture and move away from past practices previously used.
- Specific examples of transportation changes being implemented immediately (today):
 - ✓ All operations
 - ✓ All trips will depart on time (Network, Plant and Delivery); late trips are no longer authorized or accepted
 - ✓ Extra trips are no longer authorized or accepted
 - ✓ There must be no late trips
 - ✓ All PVS/HCRT drivers
 - ✓ Function 4 must start
 - ✓ Carriers must begin
 - ✓ Carriers must make
 - ✓ The right mail must go
 - ✓ ALL EMPLOYEES have an essential role with trips departing on time.
- One aspect of these changes that may be difficult for employees is that – temporarily – we may see mail left behind or mail on the workroom floor or docks (in P&DCs), which is not typical.
- We will address root causes of these delays and adjust the very next day.
- Any mail left behind must be properly reported, and employees should ensure this action is taken with integrity and accuracy.
- As we adjust to the ongoing pivot, which will have a number of phases, we know that operations will begin to run more efficiently and that delayed mail volumes will soon shrink significantly.
- More information will be shared as we fully and swiftly implement these strategies.
- You play a direct role in the success of the Postal Service, and your cooperation and teamwork are appreciated.
- This is a critical time for us, when decisive, quick, and meaningful action is needed.
- This operational pivot will ensure we can secure our future as a world-class service provider, improving our performance to fulfill our core mission of service to our customers.
- Thank you for your support and your teamwork.

- A presentation (undated) published on July 14, 2020 titled “**PMGs expectations and plan**” states that “overtime will be eliminated.” The presentation explains that if the mail cannot be delivered “due to call offs or shortages of people,” then “the mail will not go out.” See Figure 3.

Figure 3



Many postal workers, experts, and other stakeholders expressed concern that these changes – implemented during an ongoing pandemic – would cause significant delays and disrupt service for the millions of Americans who rely on the mail every day.²¹

When asked about the reported changes, the Postal Service initially provided misleading and incomplete responses and only acknowledged Postmaster General DeJoy’s role after repeated inquiries by Senator Peters

- **July 17, 2020** – Senator Peters wrote to Postmaster General DeJoy and asked him to explain the recently published documents indicating that USPS was undertaking operational changes. Senator Peters asked DeJoy to explain these documents and provide a list of every change being implementing nationwide, with a justification for each.²²
- **July 22, 2020** – The USPS General Counsel, Thomas Marshall, responded to Senator Peters’ letter, stating “neither document originated from Postal Service Headquarters” and “the documents should not be treated as official statements of Postal Service policy,” but the letter

²¹ See Id.

²² Letter from Ranking Member Gary C. Peters, to Louis DeJoy, Postmaster General and Chief Executive Officer, U.S. Postal Service (July 17, 2020).

did not detail the nationwide initiative on extra and late trips, nor did it answer the request for a full explanation of nationwide changes.²³

- **July 30, 2020** – Senator Peters wrote to Postmaster General DeJoy again seeking a full explanation of these changes.²⁴
- **August 6, 2020** – USPS Chief Operating Officer, David E. Williams responded to Senator Peters’ letter and acknowledged that the Postal Service recently undertook new efforts to “eliminate late and extra trips” and “maximiz[e] the efficiency of our processing and sortation equipment.” This letter also recognized a pilot program launched on July 25, 2020, that made changes to letter carriers’ schedules. However, the letter did not explain the details of these initiatives or what, if any, analysis the Postal Service conducted of potential service impacts.²⁵
- **August 18, 2020** – After first speaking with and formally requesting that Homeland Security and Governmental Affairs Committee Chairman Ron Johnson hold a hearing on these concerns, Ranking Member Peters secured a Senate oversight hearing with Postmaster General DeJoy to be held on August 21, 2020.²⁶ Just hours after this hearing was announced, Postmaster General DeJoy announced he would pause certain actions that had caused concern, including machine removals, but did not reverse all of the operational changes he initially ordered.²⁷
- **August 21, 2020** – Postmaster General DeJoy testified at a hearing before the Senate Committee on Homeland Security and Governmental Affairs. He admitted that his changes, particularly elimination of extra mail trips, have resulted in delays but continued to downplay the extent and impact of those delays.²⁸

B. Accounts from USPS workers contradict DeJoy’s Statements about Operational Changes

While Postmaster General DeJoy eventually acknowledged that he directed some changes to Postal Service operations, he has continued to deny other changes, including limitations on overtime, and has argued that some changes were being undertaken pursuant to pre-existing

²³ Letter from Thomas J. Marshall, General Counsel and Executive Vice President, U.S. Postal Service, to Ranking Member Gary C. Peters (July 22, 2020).

²⁴ Letter from Ranking Member Gary C. Peters et al. to Louis DeJoy, Postmaster General and Chief Executive Officer, U.S. Postal Service (July 30, 2020).

²⁵ Letter from David E. Williams, Chief Operating Officer and Executive Vice President, U.S. Postal Service, to Ranking Member Gary C. Peters et al. (Aug. 6, 2020).

²⁶ Letter from Ranking Member Gary C. Peters, to Chairman Ron Johnson, (Aug. 16, 2020).

²⁷ U.S. Postal Service: Postmaster General Louis DeJoy Statement (Aug. 18, 2020); See also Postmaster General DeJoy says he will stop postal service changes until after November election, USA Today (Aug. 18, 2020) (<https://www.usatoday.com/story/news/politics/elections/2020/08/18/election-usps-postmaster-general-says-hes-suspending-mail-changes/5602523002/>).

²⁸ Senate Committee on Homeland Security and Governmental Affairs, Examining the Finances and Operations of the United States Postal Service During COVID-19 and Upcoming Elections, 116th Cong. (Aug. 21, 2020).

policies. Recent accounts from USPS employees and management contradict many of Postmaster General DeJoy's assertions.

Overtime

Postmaster General DeJoy has repeatedly denied making changes to USPS overtime policies. However, accounts from employees across the country contradict these claims, and the Postal Service has not provided any explanation for these discrepancies.



Postmaster General DeJoy has repeatedly denied making changes to USPS overtime policies. However, accounts from employees across the country contradict these claims, and the Postal Service has not provided any explanation for these discrepancies. For example, many postal workers described how a pilot program initiated by

Postmaster General DeJoy – the Expedited Street/Afternoon Sortation test – included new restrictions on postal workers' schedules.²⁹ Other postal workers report local managers communicating changes to overtime, after DeJoy became Postmaster General.

The below accounts from Postal Service employees are provided with permission from among the over 7,700 submissions individuals have shared with Senator Peters.³⁰

- “I am a career carrier for the US Postal Service and have been for 3 years to date. When I was hired and trained, before I could touch a piece of mail it was instilled in me the carrier motto "Every Piece, Every Day" . . . On July 25, 2020 the Postal Service enacted new policies and procedures which requires carriers to leave mail behind and not give carriers the ample time to do their job comfortably and efficiently . . . **We are not allowed overtime anymore as carriers, under DeJoy's management he has instructed us to leave time sensitive First-Class mail behind in stations on docks and also mail is piling up at plants.** He has delayed critical medicines, checks, passports and also life threatening mail to ours customers. . . . I personally witnessed carriers searching through piles and piles of mail just to try and get the ballots to residents the day of the election.”

-Letter Carrier in **Atlanta, Georgia** (August 12, 2020)

²⁹ The Expedited Street/Afternoon Sortation test, initiated on July 16 in 384 post offices, imposed new scheduling limits for sorting and delivering mail. The National Association of Letter Carriers (NALC) filed a national grievance against this policy, and as a result the test was terminated effective August 19, 2020. See National Association of Letter Carriers: *National-Level Grievance over Expedited Street/Afternoon Sortation (ESAS) Settled* (Sept. 1, 2020); National Association of Letter Carriers: *USPS announces new ESAS delivery initiative test* (July 21, 2020).

³⁰ Submissions from public to Senator Peters' USPS Investigation Online Portal (Aug. 6, 2020 – Aug. 20, 2020), and follow-up interviews with Committee staff.

- “Our office is quite small, relatively speaking, but **since the new PMG put in his "order" limiting mail distribution to end at a specific time, whether or not they are finished and limiting carriers to 10 hour shifts our office has fallen incredibly behind on deliveries.** . . . My route has many retirees and veterans who get their medicine through the mail (either with the VA or CVS) but there have been times where I've been told by management to bring back the mail because I can't work more than 10 hours a day... . It's not unusual to see outgoing mail sitting in boxes for days waiting to be picked up.

- Letter Carrier in **Hilo, Hawaii** (August 10, 2020)

- “I work for the Battle Creek Post Office . . . **We watched a video from the [P]ostmaster [G]eneral stating that he was going to take care of the “ingrained inefficiencies” that our business runs by. One of those is to cut overtime.** Cutting overtime would be a sensible solution if we were staffed correctly.”

-USPS Employee in **Battle Creek, Michigan** (August 11, 2020)

- “I have been a career postal employee for over 39 years. . . Over the years the USPS has failed to maintain adequate staffing . . . Due to these issues overtime is a necessary component in order to meet service standards. Prior to the [new] guidelines our facility was bringing five clerks in 2hrs early Saturday thru Friday to process mail due for delivery each day. 10 hours overtime each day prevented delay of the mail. The PMG guidelines prohibits any pre-tour overtime.”

-USPS Employee in **Gadsden, Alabama** (August 10, 2020)

In addition, documents prepared by regional Postal Service leadership indicate that efforts are underway to reduce work hours and limit overtime. A July 2020 presentation given in the Capital Metro Area outlines specific targets for “workhour reductions.”³¹ An Ohio presentation released on July 14, 2020 states that “overtime will be eliminated.” The presentation goes on to explain that if the mail cannot be delivered “due to call offs or shortages of people,” then “the mail will not go out.”³²

In response to questions from Senator Peters about the content of specific documents and presentations, the Postal Service recognized that the materials were prepared and distributed by regional Postal Service leaders, but stated that they “should not be treated as official statements of Postal Service policy.”³³ However, the Postal Service did not address whether regional documents reflecting changes were developed *in response to* directives or other communications from Postmaster General DeJoy.

³¹ United States Postal Service, “*Cap Metro Area: Focus – Improve – Reduce – Initiatives*” (July 2020) (Copy on file with Committee).

³² Alliance of Nonprofit Mailers, *Leaked USPS PowerPoint indicates PMG DeJoy focus on getting operating costs under control* (July 14, 2020) (<https://www.nonprofitmailers.org/leaked-usps-powerpoint-indicates-pmg-dejoy-focus-on-getting-operating-costs-under-control>).

³³ Letter from Thomas J. Marshall, General Counsel and Executive Vice President, U.S. Postal Service, to Ranking Member Gary C. Peters (July 22, 2020).

Despite being asked about documents and accounts that describe changes, Postmaster General DeJoy has not explained why postal workers across the country are receiving conflicting information about changes to work hours and overtime policies.

Sorting machines

The removal of sorting machines at postal facilities has raised questions about Postmaster General DeJoy's role and the Postal Service's capacity to handle mail. Data published in Postal Service reports submitted annually to the Postal Regulatory Commission show USPS has removed machines in past years, but machine removals scheduled for 2020 were more significant than in prior years. The Postal Service decommissioned 125 Delivery Bar Code Sorters (3% of these machines) in 2018, and 186 in 2019 (5%), but planned to decommission 671 in 2020 (13%).³⁴ While he testified that removal of sorting machines was in place before his tenure and he was "unaware" of it prior to news reports, Postmaster General DeJoy is ultimately responsible for these removals. On August 18, he announced he would pause the removals until after the 2020 election, but at the August 21 hearing he stated he would not replace the machines that have been removed because "they are not needed."³⁵

Despite multiple inquiries, the Postal Service has not provided further answers or documentation about the basis for removing machines or whether they are needed.³⁶ However, the Postal Service has cited multiple times in Committee briefings that their planned 2020 machine removals were based on the 25% rate of mail volume reductions.³⁷

This number refers to reductions in total delivered mail volume (excluding packages) since the pandemic – this

magnitude of mail loss has not been seen before the pandemic and recession. While volume loss for mail products averaged 3-5% in the months before the pandemic, volume declined 24% the week of March 29, 2020, and losses grew to between 32% and 27% until May 24, then improved



Dismantled mail sorting machines in Grand Rapids, Michigan

³⁴ *Here's why the Postal Service wanted to remove hundreds of mail-sorting machines*, Washington Post (Aug. 20, 2020) (<https://www.washingtonpost.com/business/2020/08/20/postal-service-mail-sorters-removals>).

³⁵ Senate Committee on Homeland Security and Governmental Affairs, *Examining the Finances and Operations of the United States Postal Service During COVID-19 and Upcoming Elections*, 116th Cong. (Aug. 21, 2020).

³⁶ Senate Committee on Homeland Security and Governmental Affairs, *Examining the Finances and Operations of the United States Postal Service During COVID-19 and Upcoming Elections*, 116th Cong. (Aug. 21, 2020); Questions for the Record to Postmaster General Louis DeJoy, U.S. Postal Service; Letter from Ranking Member Gary C. Peters et al. to Louis DeJoy, Postmaster General and Chief Executive Officer, U.S. Postal Service (Aug. 17, 2020); Letter from Ranking Member Gary C. Peters et al. to Louis DeJoy, Postmaster General and Chief Executive Officer, U.S. Postal Service (Aug. 5, 2020).

³⁷ U.S. Postal Service, Briefing with Senate Committee on Homeland Security and Governmental Affairs and House Committee on Oversight and Reform Staff (Aug. 4 and 31, 2020).

slightly to average 19% in the weeks since then.³⁸ The Postal Service made the decision to remove machines based on volatile, pandemic-related volume losses. In addition, postal workers in some facilities state these machines are needed to handle peak volumes of mail. For example, at one plant where Deliver Bar Code Sorter machines have been removed, workers reported they had consistently used these machines at full capacity during holiday peak volume times. As one postal worker reported:

- “Since the new Postmaster General has taken over, **4 additional machines have been removed** and pieces of those have been used to lengthen other machines. On paper, this reduces the number of employees it takes to run letter sorting machines. However, **it increases the size of the runs and makes it more difficult to finish in the allotted time frame, resulting in mail being left behind on a daily basis.** As of Monday, August 10, they were 3 days behind. As of August 12, they are still 2 days behind. According to coworkers I know very well, mail is piling up in the East Paris carrier annex due to the carriers being required to end their day at a specific time . . . ”

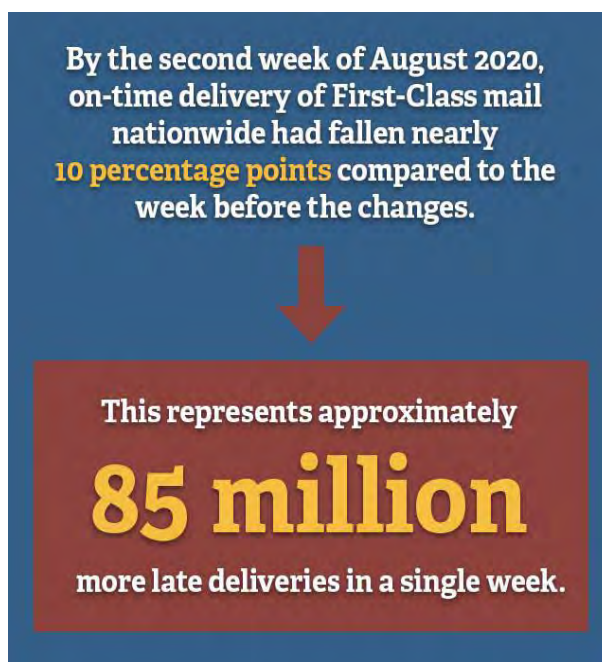
-USPS Maintenance Worker in **Grand Rapids, Michigan** (August 10, 2020)

II. CHANGES DIRECTED BY POSTMASTER GENERAL DEJOY SLOWED DOWN MAIL SERVICE ACROSS THE COUNTRY

A. The Postal Service Refused to Acknowledge Severe and Widespread Delays Even After they were Apparent for Weeks

Postmaster General DeJoy has continued to downplay the negative impacts of the operational changes he ordered in July. For weeks after reports of mail delays emerged, the Postal Service refused to directly acknowledge that delays had increased.

On August 6, 2020, the Postal Service wrote: “Of course, we acknowledge that temporary service impacts can occur as we redouble our efforts to conform to the current operating plans, but any such impacts will be monitored and temporary as the root causes of any issues are addressed and corrected.”³⁹ This response came over three weeks after the operational changes were implemented – by that time, on-time delivery performance had already fallen significantly. *See Figure 4.*



³⁸ Volume declines are as compared to Same Period Last Year. U.S. Postal Service, Weekly volume and revenue data provided to the Committee on Homeland Security and Governmental Affairs (copy on file with Committee).

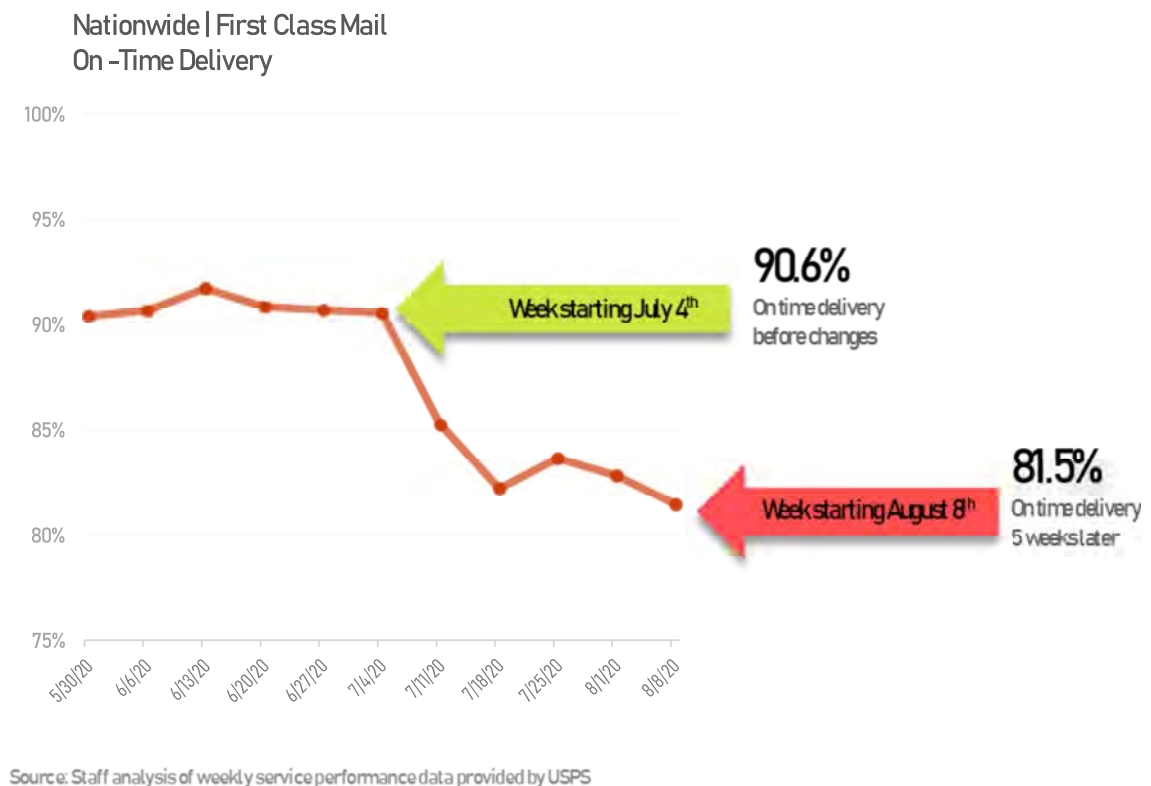
³⁹ Letter from David E. Williams, Chief Operating Officer and Executive Vice President, U.S. Postal Service, to Ranking Member Gary C. Peters et al. (Aug. 6, 2020).

On-time mail delivery fell by nearly 10 percentage points nationwide in the weeks following DeJoy's July changes

During the week of August 8, 2020, on-time delivery of First-Class mail fell by 9.1 percentage points compared to the week before the Postal Service began implementing DeJoy's changes. From July 4 -10, the Postal Service delivered 90.6% of First-Class mail within the one-to-five-day timeframes specified in the USPS service standards.⁴⁰ Five weeks later, only 81.5% of First-Class mail met the service standards for on-time delivery.

This 9.1 percentage point drop represents approximately **85 million more late deliveries** during the week of August 8 -14 alone. Put another way, if the nationwide on-time delivery rate stayed where it was during the week prior to the changes, there would have been approximately 85 million fewer late deliveries during the week of August 8 -14.⁴¹

Figure 4



⁴⁰ Service standards for First-Class mail specify a delivery timeframe of one to five days, depending on the distance between the sender and the addressee. See also U.S. Postal Regulatory Commission, *Analysis of the Postal Service's FY 2019 Annual Performance Report and FY 2020 Performance Plan* (June 1, 2020) (<https://www.prc.gov/sites/default/files/reports/USPS%20Perf%20Rpt%20and%20Plan.pdf>).

⁴¹ Estimate based on USPS First-Class mail volume data (4.15 billion pieces of First-Class mail in July 2020). "USPS Financial Dashboard for the month of July 2020," and staff analysis of USPS Weekly Service Performance data (copy on file with Committee).

Some parts of the country saw on-time delivery drop by 15-20 percentage points in the weeks following Postmaster General DeJoy's July 2020 directives

Every one of the Postal Service's 67 Districts across the country saw a marked decline in on-time delivery of First-Class mail during the weeks following Postmaster General DeJoy's July 2020 directives. In five Districts – Central Pennsylvania, Northern Ohio, Ohio Valley, Detroit, and Honolulu – on-time delivery of First-Class mail fell by 15-20 percentage points over the four-week period starting on July 11, compared to the four-week period preceding Postmaster DeJoy's start at USPS. See Figures 5 and 6.

Figure 5

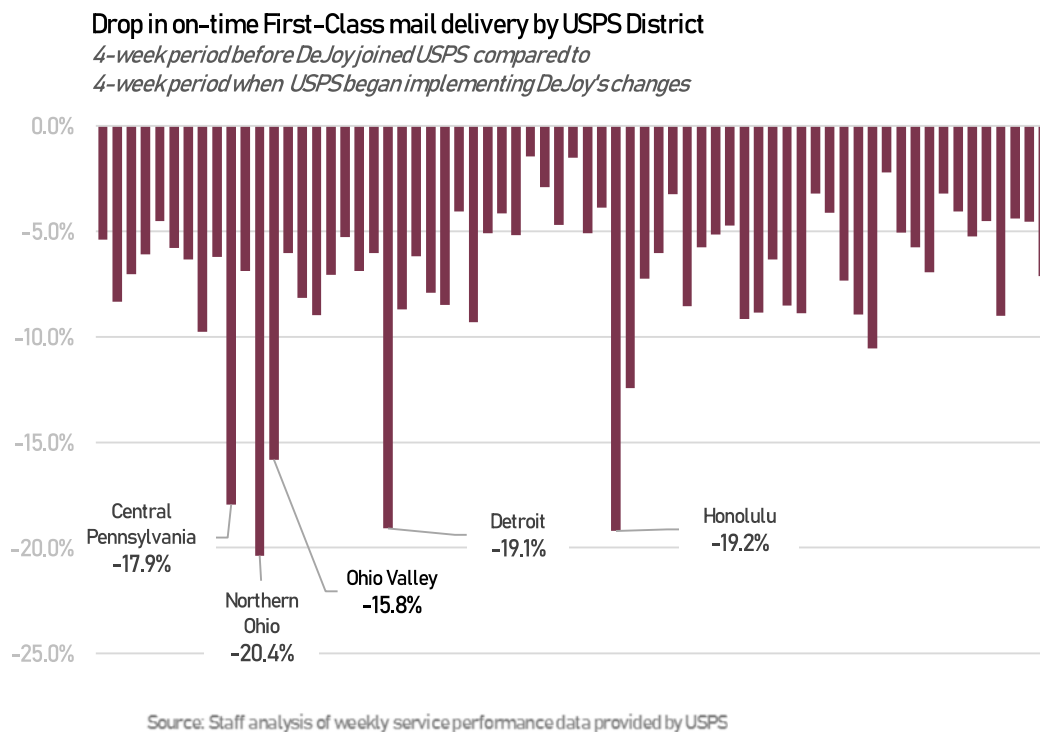
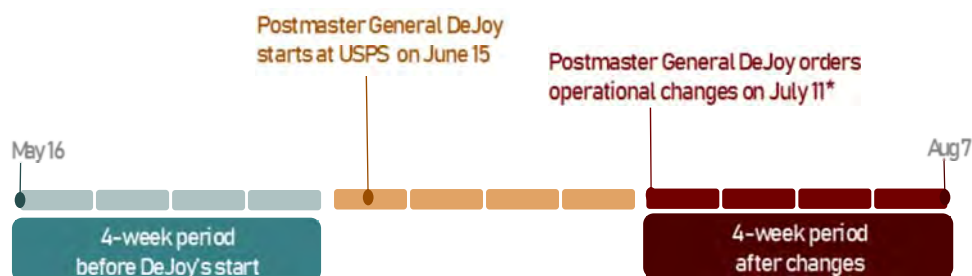


Figure 6

Timeline for Service Performance Comparison

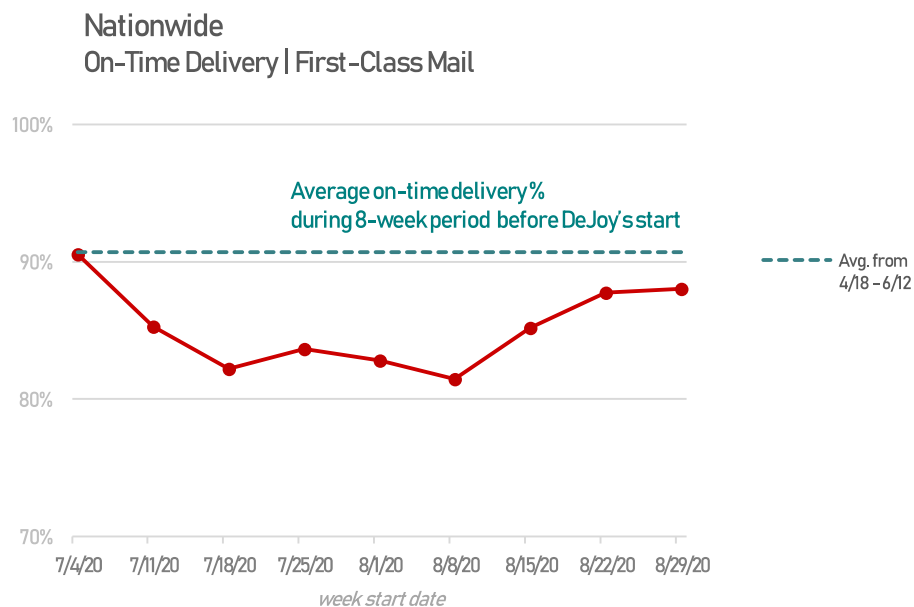


B. Nearly two months after Postmaster General DeJoy ordered changes, service has still not recovered

Nearly two months after the operational changes were implemented, service has still not recovered to previous levels. On August 21, 2020, in testimony before the Senate Committee on Homeland Security and Governmental Affairs, Postmaster General DeJoy admitted that under his leadership the Postal Service “had some delays in the mail.”⁴²

After nearly two months, service nationwide still remains below the levels before Postmaster General DeJoy’s arrival.⁴³ As shown in *Figure 7* below, during the eight weeks prior to the start of Mr. DeJoy’s tenure as Postmaster General, First-Class mail saw an average rate of 90.7% on-time delivery. While there has been improvement following the steep drop in July, recovery appears to have slowed. From August 29, 2020 to September 4, 2020,⁴⁴ on-time delivery nationwide was 88.0% — only a 0.2 percentage point improvement from the prior week, and still 2.7 percentage points below the average during the weeks prior to Postmaster General DeJoy’s arrival.⁴⁵ In other words, there were still approximately 25 million more late deliveries during the

Figure 7



Source: Staff analysis of weekly service performance data provided by USPS

⁴² Senate Committee on Homeland Security and Governmental Affairs, Examining the Finances and Operations of the United States Postal Service During COVID-19 and Upcoming Elections, 116th Cong. (Aug. 21, 2020).

⁴³ Staff analysis of USPS Service Performance data through September 4, 2020.

⁴⁴ This is the most recent week for which the USPS has provided Service Performance data.

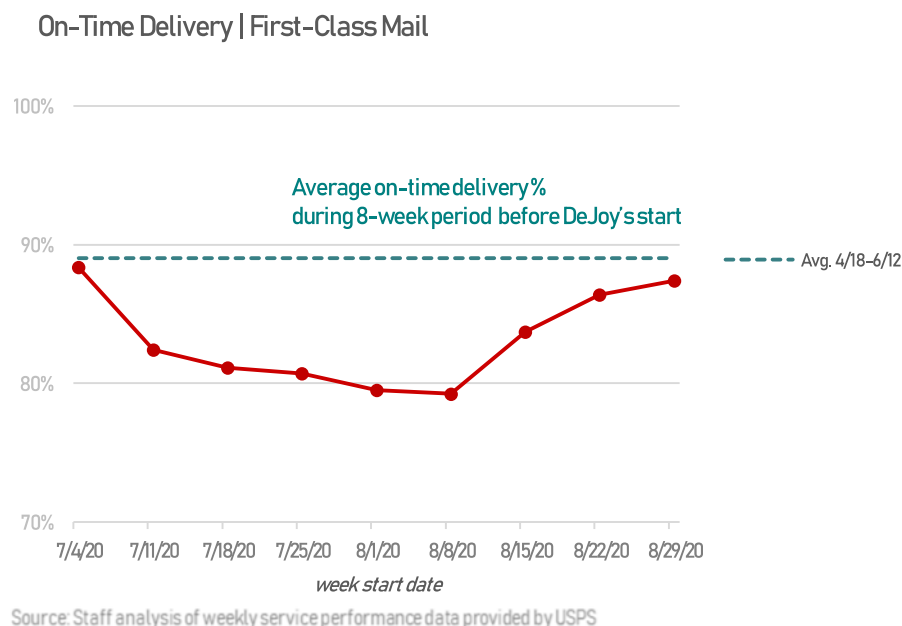
⁴⁵ Service performance data reflects on-time delivery rates during a given week. The rate used for comparison reflects the average over the eight weeks immediately preceding the week of Postmaster DeJoy’s arrival – the week of April 18 – 24, through the week of June 6 – 12.

week of August 29 -September 4 than there would have been if on-time delivery rates stayed where they were during the weeks before Postmaster General DeJoy arrived.⁴⁶

Every one of the Postal Service’s seven geographical areas has seen similar trends. While service began to improve in mid-to-late August, service levels in each of the seven Areas remained below where they were during the weeks prior to the July changes.⁴⁷

For example, as shown in *Figure 8*, on-time delivery in the Great Lakes Area averaged 89.0% across the 8 weeks prior to Postmaster DeJoy’s tenure. During the week of August 8-14 performance fell by 9.8 percentage points to 79.3% on-time delivery. During the most recent week for which data is available (August 29 – September 4), on-time delivery was 87.4% – still below where it was in the weeks before Postmaster DeJoy’s arrival. In addition, on August 18, 2020, only after mounting pressure and Ranking Member Peters’ announcement securing a hearing for Mr. DeJoy to testify before Congress, Postmaster General DeJoy announced he would pause certain actions. Even with this reversal, the Postmaster General declined to disclose full information about each of his directives and what actions he would take to reverse their impact on service, and stated that he would make this concession only through the election.⁴⁸ To date, USPS has failed to provide complete information on the universe of operational changes made, halted, and still in progress.

Figure 8



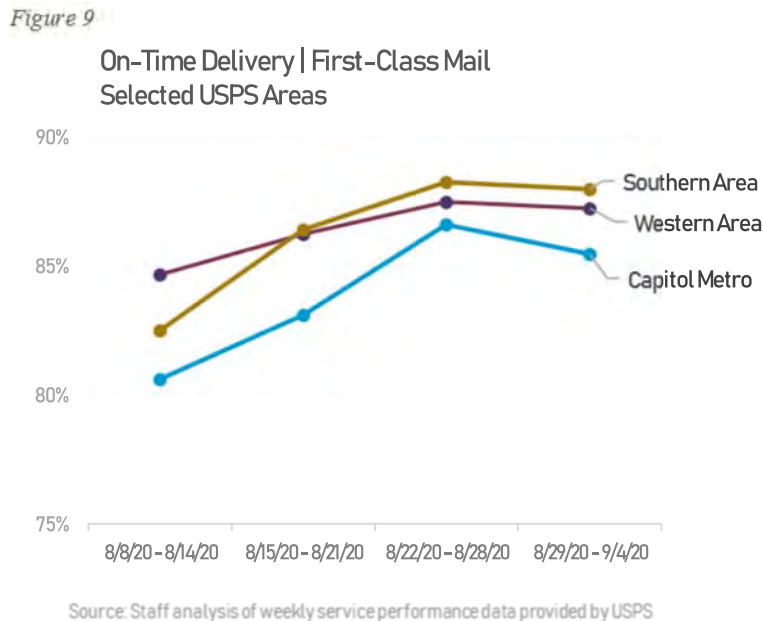
⁴⁶ Estimate based on USPS First-Class mail volume data (4.15 billion pieces of First-Class mail in July 2020). “USPS Financial Dashboard for the month of July 2020,” and staff analysis of USPS Weekly Service Performance data (copy on file with Committee).

⁴⁷ See Appendix.

⁴⁸ U.S. Postal Service: Postmaster General Louis DeJoy Statement (Aug. 18, 2020); See also Postmaster General DeJoy says he will stop postal service changes until after November election, USA Today (Aug. 18, 2020) (<https://www.usatoday.com/story/news/politics/elections/2020/08/18/election-usps-postmaster-general-says-hes-suspending-mail-changes/5602523002/>).

C. Delays are increasing again in many parts of the country

After improving somewhat during the second half of August, on-time delivery began declining again in many parts of the country. As shown in *Figure 9* below, three of the seven geographical Areas saw an overall drop in on-time delivery during the week of August 29 - September 4 compared to the previous week.



Even in the Areas that did not see an overall drop, several individual Districts experienced a recent increase in delays. During the week of August 29 - September 4, 30 of the 67 USPS Districts saw a decline in on-time delivery from the previous week.⁴⁹

D. Delays following Postmaster General DeJoy's July 2020 changes exceed those that occurred at the outset of the COVID-19 pandemic

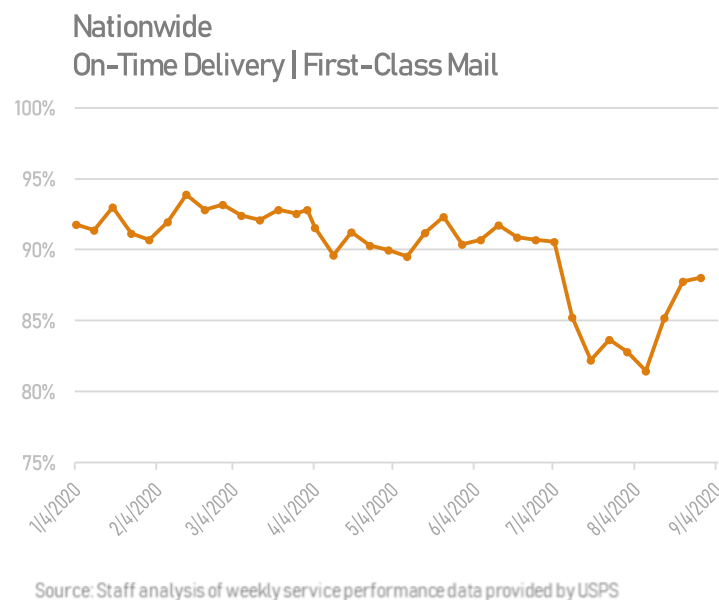
On several occasions, when asked about the spike in delays following Postmaster General DeJoy's July 2020 changes, the Postal Service has cited the ongoing COVID-19 pandemic. For example, when Senator Peters questioned him about the delays at the August 21 hearing, Postmaster General DeJoy stated "certainly there was a slow-down in the mail when our production did not meet the schedule. But also, Senator, our employees are going – are

⁴⁹ On-time delivery rates for First-Class mail fell during the week of Aug. 29 - Sept. 4, compared to the week of Aug. 22 – Aug. 28 in the following USPS Districts: Baltimore, Capital, Greater South Carolina, Northern Virginia, Richmond, Appalachian, Kentuckiana, Ohio Valley, Philadelphia Metro, Western Pennsylvania, Chicago, Gateway, Greater Indiana, Albany, Triboro, Honolulu, Alabama, Arkansas, Dallas, Ft. Worth, Houston, Oklahoma, South Florida, Arizona, Colorado/Wyoming, Dakotas, Hawkeye, Mid-America, Northland, and Portland.

experiencing the COVID pandemic also, and we have a significant issue in employee availability in many, many parts of the country that are also leading to delays in delivery of mail.”⁵⁰

While the pandemic has affected USPS operations across the country and continues to pose a challenge, the sharp drop in service performance following the July changes was clearly not caused by the pandemic. As shown in *Figure 10*, on-time delivery nationwide fluctuated during the months prior to Postmaster General DeJoy’s arrival, and dropped noticeably in April and May, as the pandemic peaked across the country. However, the drop in on-time delivery that coincides directly with Postmaster General DeJoy’s July changes is much steeper, sending service performance to the lowest levels since the beginning of the year.

Figure 10



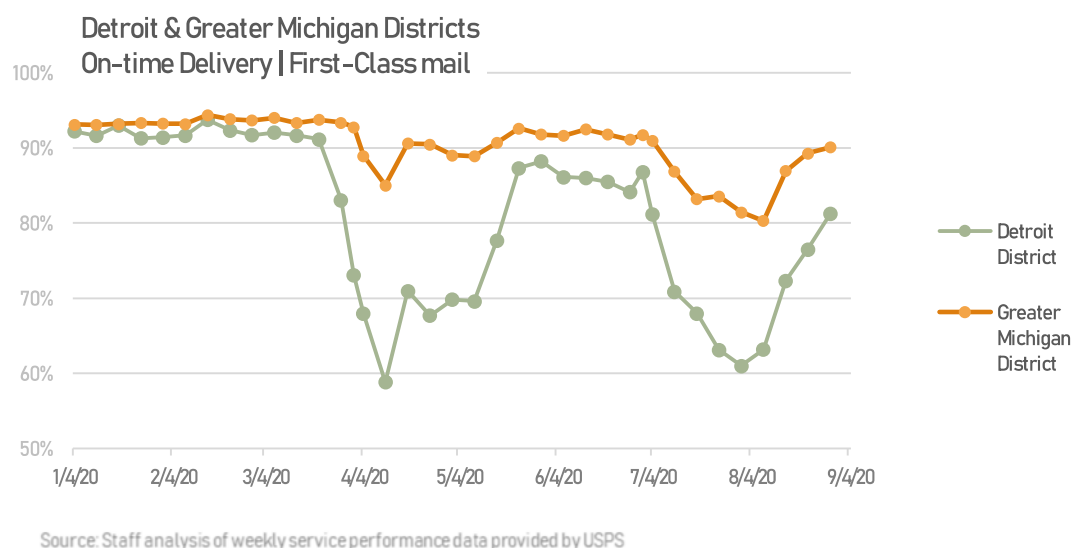
The COVID-19 pandemic caused severe disruptions to on-time delivery in many parts of the country. However, even in areas that were hardest-hit, the service declines following Postmaster General DeJoy’s changes exceeded or matched those during the peak of the outbreak in those states.

For example, COVID-19 cases in Michigan spiked in late March and early April, and there was a notable drop in on-time delivery during those months, especially in the Detroit area. *See Figure 11*. Then, as daily reported infection totals decreased and stabilized in Michigan over May and June, on-time delivery rates also returned to levels near what they were before the pandemic. However, service performance dropped abruptly following Postmaster General DeJoy’s July 2020 directives. In August – while Michigan was reporting average daily infection totals that were approximately half of what they were at the peak of the pandemic – on-time delivery across Michigan fell to levels similar to those seen during the initial surge in cases. In the Detroit

⁵⁰ Senate Committee on Homeland Security and Governmental Affairs, Examining the Finances and Operations of the United States Postal Service During COVID-19 and Upcoming Elections, 116th Cong. (Aug. 21, 2020).

District, on-time delivery fell to 61.0% in August, nearly reaching the previous low in April (58.8%). In the Greater Michigan District, on-time delivery dropped to 80.3% in August, falling below the lowest levels during the spring (85.0%).

Figure 11



III. **DELAYS CAUSED BY OPERATIONAL CHANGES HARMED AMERICANS ACROSS THE COUNTRY**

A. Impact of USPS Medication Delivery Delays

Millions of Americans Rely on Mail Order Pharmacies

Millions of Americans rely on the Postal Service for prescriptions and medical supplies. Lifesaving drugs like insulin, chemotherapy agents, and heart medications are just some examples of the critical medications Americans entrust to the Postal Service for timely and regular deliveries. Mail delays and unpredictable deliveries of these medications and supplies have the potential to pose serious health risks and have additional adverse effects.

The Postal Service delivers 1.2 billion prescription drug shipments each year – amounting to four million shipments every day, six days a week.⁵¹ In addition to prescription drugs, the Postal Service delivers other essential medical supplies like insulin needles, diabetic testing strips, and contact lenses. Benefits to using mail-order pharmacies can include potential cost-savings, lower error rates, increased medication adherence, and accessibility.⁵²

⁵¹ National Association of Letter Carriers: Statement by NALC President Fredric Rolando: The Postal Service is vital in this crisis (Mar. 27, 2020).

⁵² Comments of the Pharmaceutical Care Management Association Before the Postal Regulatory Commission, Docket No. N2010-1 (Sept. 30, 2010).

The Department of Veterans Affairs (VA) established the first mail order pharmacy in 1946. Since then, the number of mail-order pharmacies has grown substantially.⁵³ The VA Consolidated Mail Outpatient Pharmacy fills approximately 80 percent of its prescriptions for all veterans via mail, processing 470,000 prescriptions daily.⁵⁴ The VA offers a refill and tracking tool so that veterans can track the delivery of their prescriptions.

In 2018, approximately 17 percent of Medicare Part D enrollees and 13 percent of large employer health plan enrollees used mail-order pharmacies for at least one prescription. Overall, Medicare Part D and large employer health plan enrollees account for 173 million mail-order prescriptions, or approximately 17 percent of prescriptions.⁵⁵

Some of the most commonly filled prescriptions for these plans include maintenance medications for chronic conditions like high cholesterol, high blood pressure, and diabetes.⁵⁶ For example, patients who rely on insulin, inhalers, or other critical medications are not able to wait weeks to receive their prescription. Widespread postal delays have hindered patients' ability to access needed medications and "any prescription medication can only be as effective as a patient's ability to access it."⁵⁷

The COVID-19 Pandemic has led to Increases in Mail Order Pharmacy Use

The Postal Service's role in delivering medications to Americans has only grown – both in volume and importance – during the COVID-19 pandemic. Reports estimate that in late March 2020, mail-order prescriptions increased 21 percent from the year prior.⁵⁸ For many Americans living through the pandemic, including seniors, individuals with disabilities, and individuals with chronic conditions, mail medication deliveries serve as a lifeline. These individuals, who are often most at risk for COVID-19, rely heavily on mail-order pharmacies since an in-person visit to the pharmacy could place them at an increased risk of exposure to the virus. A recent Senate report found that four major mail-order pharmacies experienced increased delivery times by approximately 18-32 percent.⁵⁹

⁵³ *What is the Role of the Mail-Order Pharmacy?*, Pharmacy Times (Jan. 20, 2020) (<https://www.pharmacytimes.com/news/what-is-the-role-of-the-mail-order-pharmacy>).

⁵⁴ U.S. Department of Veterans Affairs, Pharmacy Benefits Management Services (https://www.pbm.va.gov/PBM/CMOP/VA_Mail_Order_Pharmacy.asp) (accessed Aug. 23, 2020).

⁵⁵ *Mail Delays Could Affect Mail-Order Prescriptions for Millions of Medicare Part D and Large Employer Plan Enrollees*, Kaiser Family Foundation (Aug. 20, 2020) (<https://www.kff.org/coronavirus-covid-19/issue-brief/mail-delays-could-affect-mail-order-prescriptions-for-millions-of-medicare-part-d-and-large-employer-plan-enrollees>).

⁵⁶ *Mail Delays Could Affect Mail-Order Prescriptions for Millions of Medicare Part D and Large Employer Plan Enrollees*, Kaiser Family Foundation (Aug. 20, 2020) (<https://www.kff.org/coronavirus-covid-19/issue-brief/mail-delays-could-affect-mail-order-prescriptions-for-millions-of-medicare-part-d-and-large-employer-plan-enrollees>).

⁵⁷ American College of Physicians: Internists Say Delivery of Mail-order Prescriptions is Critical (Aug. 17, 2020).

⁵⁸ *Mail-Order Drug Delivery Rises During Coronavirus Lockdowns*, Wall Street Journal (May 12, 2020) (<https://www.wsj.com/articles/mail-order-drug-delivery-rises-during-coronavirus-lockdowns-11589281203>).

⁵⁹ Sens. Elizabeth Warren and Bob Casey, Rapidly Increasing Postal Service Delivery Delays for Mail-Order Prescription Drugs Pose Health Risks for Millions of Americans (Sept. 2020).

Mail Delays Resulting from Postmaster General DeJoy's Directives Have Harmed Many who Rely on the USPS to deliver their Medicine

Mail delays, especially delays that result in packages sitting in excessive heat for long periods of time, can compromise medication quality and impact a drug's effectiveness.⁶⁰ Depending on the type of drug, extreme temperatures can have a detrimental effect on medication quality.

Biologics, for example, often require cold storage. According to one pharmacist, patients that suffer from chronic illnesses, like diabetes, could have life threatening consequences from taking damaged insulin. Similarly, diagnostic testing strips commonly used to measure blood sugar levels in diabetics are sensitive to humidity and if exposed to moisture, could yield a false reading.⁶¹

Senator Peters received hundreds of messages from individuals throughout the country sharing their personal experiences about the impact of USPS mail delays on the delivery of medications and medical supplies. The stories below, provided with permission, demonstrate the widespread harm that USPS mail delays have had on individual's lives.⁶²

- **Karen from Auburn, Michigan** reported that she ordered her husband's glaucoma medicine at the end of June and received confirmation of shipment a couple days later. According to Karen, USPS tracking showed that the package went from Pontiac, to Detroit, to Saginaw, then back to Detroit, then back to Pontiac, with no further tracking information available. As a result, Karen requested an emergency refill of the medication. Though Karen finally received the initial shipment six weeks later, she reported that her pharmacist advised against using the medication because it had been exposed to significant heat, which likely compromised its effectiveness.

Missed Medication Doses and Resulting Side Effects

Widespread mail delays have forced a number of individuals to go without their medications or ration doses. In some cases, individuals experienced side effects as a result of the missed doses. For some, this is a minor inconvenience, but for others, it can result in increased health risks.

- **Danielle from Brush Prairie, Washington** is a former federal archaeologist, who is disabled and the mother of two autistic children. She said that she relies on medications to manage her symptoms and has regularly received mail-order prescriptions without issue. Insurance prohibits her from filling the controlled substance medication until she has a five-day supply

⁶⁰ Claire Sykes, Time- and Temperature-Controlled Transport: Supply Chain Challenges and Solutions, Pharmacy and Therapeutics (Mar. 2018); Extreme Temperatures May Pose Risks To Some Mail-Order Meds, National Public Radio (Jan. 7, 2019) (<https://www.npr.org/sections/health-shots/2019/01/07/673806506/extreme-temperatures-may-pose-risks-to-some-mail-order-meds>); Mistakes in Storage May Alter Medication, New York Times (Aug. 15, 2011) (<https://www.nytimes.com/2011/08/16/health/16consumer.html>).

⁶¹ *Mistakes in Storage May Alter Medication*, New York Times (Aug. 15, 2011) (<https://www.nytimes.com/2011/08/16/health/16consumer.html>).

⁶² Submissions from public to Senator Peters' USPS Investigation Online Portal (Aug. 6, 2020 – Aug. 20, 2020), and follow-up interviews with Committee staff. *See also*, United States Senate Committee on Homeland Security & Governmental Affairs, Ranking Member Peters Minority Report, *Interim Report on the Threat of Postmaster General DeJoy's Postal Service Delays* (Aug. 21, 2020).

left. Danielle explained that she ordered this medication on July 22. USPS confirmed shipment on July 23 and delivery on July 24; however, Danielle never received the medication. With two pills left, she requested an emergency prescription from her insurance company, and it took three days for her doctor to process the refill. Danielle described that, as a result she suffered multiple stroke-like withdrawal symptoms including tachycardia, migraine syncope, and neurological pain, while waiting for her refill. Once her prescription was filled, she had to drive 25 minutes to a local pharmacy to pick it up. The prescription cost her \$45 out of pocket, in addition to the costs of gas, time, and a risk of exposure to COVID-19.

- **Sandy from Warren, Michigan** noted that her 80-year-old mother received mail order prescriptions for years without incident. In mid-July, the doctor ordered a bladder medication for her mother. According to Sandy, the prescription sat in a USPS facility located just a few miles from her mother's home for five days and was not delivered until late July, nine days after the initial order. As a result, Sandy said her mother went without this medication for five days and though it was not life threatening, her mother was in a significant amount of discomfort during that time period.
- **Joseph from Livonia, Michigan** reported that his insurance company recently required that he obtain his prescriptions through the mail. On July 27, Joseph received confirmation that his prescriptions had been shipped and were scheduled to arrive on July 29. Joseph indicated that he relies on this medication for his anxiety and ADHD and needs it to function. He did not receive the medication until one week later. While Joseph awaited his medication, he resorted to rationing his remaining pills and eventually had to miss doses altogether until his prescription arrived on August 3.
- **Mark from Gladwin, Michigan** relies on the mail for his blood pressure medication, which he receives every three months. Usually, the prescription takes a few days to arrive. When he ordered his prescription at the end of July, he did not receive it until August 11. Mark reported that the USPS tracking information revealed that the package bounced between the Detroit and Saginaw distribution centers after finally arriving in Detroit on August 8, when the medication sat for a period of time. As a result of this nearly two-week delay, Mark went without his medication for approximately 3-4 days. According to Mark, this is the longest he has ever had to wait for his medication.
- **Mary from Redford, Michigan** shared that her daughter has consistently received her medication through the mail in 3-4 days. According to Mary, on July 20, 2020, she was notified that her daughter's medication had been sent, but it took nine days to be delivered. While waiting for the medication, she spoke to a postal worker about getting her daughter's medication who said that "stuff was everywhere" and that they had "never seen it like this" so they would probably not be able to find it. When her daughter realized her medication wasn't coming on time, she tried to stretch what she had by taking one instead of two pills, and because of this had seizures and was transported to the hospital.

Emergency Refills and Out of Pocket Expenses

These lengthy delays have forced individuals to make in-person visits to a pharmacy, request emergency refills of their medication, and sometimes incur out-of-pocket costs.

- **Sandra from Grosse Ile, Michigan** is required to use a specific mail-order pharmacy for her medications. Sandra reported that she received a notification that her medication shipped on August 5 and arrived at the Detroit Distribution Center on August 7; however, since August 11 the package has been listed as “in transit” and as of August 19, she had not yet received it. As a result, Sandra said that she went without her medication and eventually received an emergency prescription from her doctor, for which she paid \$4.90 out-of-pocket.
- **Judy from Shelby Township, Michigan** shared that her husband is a diabetic and relies on the mail to receive testing strips to assess his blood sugar levels. She recounted that when the shipment from his insurance company did not arrive, he put in an additional order, which was also delayed. After learning that nearby local stores did not carry the testing strips, he ordered some on Amazon and paid \$13 out of pocket. Judy said that her husband went two days without any testing strips and as a result, could not test his blood sugar levels during that time. Judy reported that the testing strips from the insurance company arrived one month later, in early August.
- **William from Modesto, California** is 81 years old and relies on the mail for his blood pressure medication, which he said usually arrives within 2-3 days. William noted that his most recent order, which was shipped on July 30, did not arrive until the week of August 17. Without any medication for four days, William contacted his doctor to obtain an emergency refill and incurred small co-pays.

Mail Delays Have Adversely Affected Veterans

- **Richard from St. Charles, Michigan** is a veteran who receives his prescriptions through the mail. In early August, Richard reported that he placed an order for his prescription, which was sent on August 2. As of September 2, the prescription has not yet arrived. In need of his medication, Richard said that he paid \$35 for a 10-day emergency prescription. According to Richard, his insurance company also overnighted him a 90-day supply at no cost through DHL and USPS, which he received. In addition, his mail-order pharmacy sent another prescription on August 25 that finally arrived on September 8. Richard noted that recently he has gone 2-3 days in a row without receiving any mail.
- **Craig from Portage, Michigan** is a disabled veteran who served in the Army. He explained that he has relied on mail-order medications for fourteen years without any serious problems. Craig reported that his prescriptions usually takes about a week to arrive, but at most up to two weeks. In early July, Craig ordered his blood pressure medication from the VA; however, he did not receive the medication until August 1. As a result, Craig went without his blood pressure medication for almost a week and had to drive an hour to pick up an emergency prescription order from the VA Clinic.

B. Impact on Small Businesses

American small businesses trust the Postal Service to carry and deliver their products across the country. Small businesses comprise 99.7 percent of all firms in the United States with paid employees.⁶³ These businesses overwhelmingly rely on USPS for their shipping and delivery needs – a 2019 report found that 70% of small businesses with fewer than 10 employees use USPS, and more than half of them do so more frequently than other carriers.⁶⁴ For many small businesses, USPS is the only feasible option for their shipping needs, either due to costs or access. One industry expert recently stated that without USPS, “small businesses would see shipping costs increase significantly, in some cases by more than double.”⁶⁵

Businesses have increased their reliance on carriers such as USPS during the COVID-19 pandemic. Many businesses nationwide have shifted to online operations as their standard brick-and-mortar locations remain closed, leading to an increased dependence on shipping and delivery to continue business activity.⁶⁶ In light of this shift, e-commerce sales grew by over 30 percent between the first and second quarters of 2020, directly overlapping with the onset of the pandemic in the U.S.⁶⁷ When small businesses were unable to provide clients with goods and services in-person, many turned to USPS to stay afloat in the face of adversity.

Small business owners across the country expressed a variety of concerns stemming from USPS delays. Some noted the lost revenue and inventory resulting from negative reviews and dissatisfied customers frustrated by delays, as well as lost time spent investigating those delays. Some small businesses also raised concerns about their inability to track packages no longer being scanned by USPS. Other businesses that were able to track packages noticed that their packages were taking more erratic and lengthier routes before being delivered, often being held in processing centers for days at a time without explanation.

- **Shannon from Los Angeles, California** owns a small business that makes and sells crafts online. She said that she started noticing some issues with USPS mail at the onset of the pandemic, but the problems got much worse in July and August, when the delays of incoming and outgoing packages became much more noticeable. For her business, she orders her supplies online, makes her products with those supplies, and then ships them to clients, so when packages are delayed she cannot create or send her products efficiently. Shannon explained

⁶³ U.S. Small Business Administration Office of Advocacy, *Frequently Asked Questions About Small Businesses* (Sept. 2019) (<https://cdn.advocacy.sba.gov/wp-content/uploads/2019/09/24153946/Frequently-Asked-Questions-Small-Business-2019-1.pdf>).

⁶⁴ U.S. Postal Service Office of Inspector General, *From Home Office to Post Office: Improving Microbusiness Engagement with the U.S. Postal Service* (RISC-WP-19-008) (Sept. 4, 2019) (<https://www.uspsog.gov/sites/default/files/document-library-files/2019/RISC-WP-19-008.pdf>).

⁶⁵ *If we let the US Postal Service die, we'll be killing small businesses with it*, TechCrunch (Apr. 24, 2020) (<https://techcrunch.com/2020/04/24/if-we-let-the-us-postal-service-die-well-be-killing-small-businesses-with-it/>).

⁶⁶ *Small businesses turned to technology to survive the pandemic. But it may not be enough.*, Washington Post (June 22, 2020) (<https://www.washingtonpost.com/technology/2020/06/22/small-business-tech-pandemic/>).

⁶⁷ U.S. Department of Commerce, U.S. Census Bureau News, *Quarterly Retail E-Commerce Sales 2nd Quarter 2020* (Aug. 18, 2020) (https://www.census.gov/retail/mrts/www/data/pdf/ec_current.pdf); *See also Coronavirus pandemic turbocharges online sales, which were up more than 31% in just three months*, CNBC (Aug. 18, 2020) (<https://www.cnbc.com/2020/08/18/e-commerce-sales-grew-more-than-30percent-between-q1-and-q2.html>).

that during the beginning of the pandemic, her outgoing packages would take 7 to 10 days to be delivered, but starting in late July every package has been delayed, taking 14 days on average where they should be taking 3 to 5 days with First Class shipping. Over the same period, she has also had packages disappear for up to six weeks and then spontaneously be delivered to clients. Finally, USPS also lost an incoming package she had ordered containing \$60 worth of business supplies. Although her claim for the missing package was since approved, the reimbursement is still pending.

Delays with USPS orders have caused unprecedented issues for even the most experienced of online sellers

- **Rusty from Alpharetta, Georgia** has been selling items online for over two decades. Although he has rarely had problems in the past, according to Rusty, his USPS service took a turn for the worse in the middle of July. He first noticed it when he received an unusual amount of emails from buyers asking about the status of their items. He said he looked into reports from his Internet postage vendor for the first time and saw that there were numerous items still outstanding after 2 or 3 weeks, whereas previously the delivery norm was approximately 4 business days for most of the country. Rusty said he has been spending half of his time answering emails from buyers regarding complaints about delays—he used to only receive buyer messages inquiring about a package once every few days, but now he gets 8 to 10 per day. According to Rusty, he has had to make business changes due to the delays such as dropping expedited service, taking down advertising, extending the handling time for packages, and slowing down sales to be able to keep up with troubleshooting the issues stemming from USPS delays.
- **Donna from Tipton, Michigan** has been a seller online for over 10 years and she ships hundreds of packages a year via USPS. She stated that she had not had any major issues with package delivery until this summer. For example, according to Donna, she sent a package via Priority Mail on June 24 from Tipton, Michigan to Wyandotte, Michigan (a distance of approximately 60 miles) that was not delivered until nearly a month later on July 21. This customer left a negative review because of the delay, reflecting poorly on Donna’s business. She said that more than a dozen packages have taken a week longer than normal to be delivered over this summer. Some shipments are taking 2 to 2½ weeks that should take 2 to 3 days. She said as a small business owner, being able to rely on USPS to deliver packages on a timely basis is crucial.

The delays in mail deliveries have made it difficult for some businesses to stay open and pay employees amid the pandemic

- **Terrance from Bay City, Michigan** is the owner of a lawn maintenance business. He sends bills to his clients through the mail, but he said that the batch sent on August 1 was delayed by USPS, and on August 11 multiple customers called saying that they had still not received their bill. Due to delays in bills being delivered and delays in receiving payments once they have been mailed by customers, he described a sizable “accounts receivable” backlog and has concerns about being able to pay his employees.

USPS delays affect both the professional and personal lives of small business owners

- **Laurie from Grand Rapids, Michigan** owns an early childhood and preschool center. According to Laurie, she has noticed a significant slowdown in USPS mail since the beginning of August, especially compared to private carriers. Personally, she had a bill payment she mailed on August 1 that was due on August 8 not arrive until August 17, despite the fact that it had never been delayed before and she had never made a late payment. She is concerned about how such delays could affect her credit score and small business as well. On the business side, Laurie said that all of her incoming mail has been delayed, with packages that should take 7 to 10 days taking 2 to 4 weeks to be delivered now, such as one package of curriculum-based materials for children that was ordered in the second week of August and had not yet arrived as of early September.
- **Jennifer and her husband from Los Angeles, California** are both small business owners. Jennifer sells approximately 4 to 5 packages per week online. According to Jennifer, in early July, she noticed that domestic and international packages she had mailed First Class were being held in USPS locations, some for up to 3 weeks. She recounted that her packages were taking an average of 4 to 5 weeks to reach their destination. Because she had issued replacements for customers during the delays, some of them ended up getting two packages, and she was not refunded any insurance money because the packages eventually arrived and the insurance claims were also delayed. She said she eventually closed down her shop for 3 weeks to avoid ongoing issues due to USPS.
- Jennifer's husband owns a record store that was closed for most of the spring due to shutdowns, so he moved his business online to stay open during the pandemic. According to Jennifer, when Los Angeles permitted some retail shops to open, her husband returned in-person for two long weekends, but after this he voluntarily closed the shop due to the health risk and relied further on the online component of the business. Since then, he has had 27 packages go missing through his online shop, and even now there are packages that have still not arrived. In response to the USPS issues, he closed the online shop and reopened the in-person store earlier than he would have wanted because he could not trust USPS. Jennifer estimated the economic impact of potential lost sales at \$1,000 for her business and \$6,000 to \$7,000 for her husband's record store.

Rural communities often rely exclusively on USPS for mail services, and small businesses in these areas have struggled since the recent changes with the lack of reliable service combined with the lack of a viable alternative for sending mail

- **Nan from Point Arena, California** owns a small alternative medicine practice and mailing homeopathic remedies to clients makes up a significant part of her business. Nan said she experienced a sudden slowing of mail transit times starting in early to mid-July, resulted in significant delays in packages reaching her clients. Her business relies on the mail because it is the only local option in the remote rural area where she lives. Nan said that since July, her packages have been delayed two to three times the normal delivery length, costing her over \$650 between the delays and lost packages. Nan said she is dependent on USPS and her packages are time-sensitive. She does not believe her business will remain sustainable if the postal system's failure to deliver packages in a timely way continues.

C. Financial Impact on Households

Many individuals and families rely on the mail to manage financial matters like paying bills and obtaining paychecks. Severe mail delays in July and August caused added financial strain to households across the country, many of whom were already facing hardships due to the pandemic.

Unexpected delays have led to late and overdraft fees

- **Lisa from Los Angeles, California** is the mother of two sons, and her husband passed away in July of this year. She explained that the boys receive Social Security assistance because their father passed and that this is their only income. She said these checks have been delayed, starting in the beginning of August, causing financial burdens and stress. Because the Postal Service is taking so long, with mail and bills coming 2-3 weeks late, she said she is also incurring late fees she has to pay. Lisa said that the fact that all of their mail is coming late “affects us economically and mentally.”
- **Linda from Big Bay, Michigan** is a retired teacher who stated that she never had problems with the Postal Service until July of this year. According to Linda, her husband mailed a credit card payment on July 21, and on August 13 it had not yet been received, so his card was declined and he had to pay a \$35 late fee. Additionally, Linda reported that she filled out and mailed in her ballot for Michigan’s August primary election as soon as she received it, but it was not received by the township until after the election, leading to it not being counted.

Some companies have refunded or waived fees caused by mail delays – but consumers still face negative impacts

- **Donald from Webster, New York** is a retired postal worker who served for 36 years. He explained that over the course of his career and retirement, he has chosen to be loyal to the Postal Service and pay bills by mail to support First Class mail – as opposed to using online options. Donald reported that, beginning in July, he had four credit card bills and his mortgage payment delivered late. Prior to this, he estimates he had one late payment in his life. He said that he was able to contact the credit card company and reverse the charges and interest, but is concerned that his credit rating dropped at least 100 points. He said this is especially damaging because he is retired and may need to borrow money in the future.
- **Charles from Redford, Michigan** reported that he stopped receiving mail around July 23, and did not get anything from USPS again until August 13. Since then, mail has come on some days and not come on others. He said he has experienced delays in the delivery of his bills, arriving after they are due, and has had to deal with the annoyance of calling the companies to get the late fees waived.

Delays have led to financial strain

- **Lynn from Detroit, Michigan** is disabled and immunocompromised, so she has been isolating during the pandemic and relying more on the mail for her needs. According to Lynn, her packages started getting delayed in July and she had to submit complaints to track packages down. Lynn said that she pays her rent through the mail by having her bank mail a check to her landlord once her Supplemental Security Income direct deposit comes at the end of the month. She said her rent check always arrives by the due date of the 5th. For August rent, however, her check that was mailed on July 27 did not arrive until August 13. Lynn explained that because it had been so long, the bank considered it lost and she had to go out and get a physical money order, risking her health in the process.
- **Amy from Hancock, Michigan** lives in a rural area where she says mail generally takes 4-5 days to arrive. However, she recently experienced an extreme delay with her credit card delivery. According to Amy, it was mailed on July 25, and when it had not arrived as of August 12, the company cancelled it due to security concerns and shipped her a new one. In the meantime, she had no credit card to cover family expenses for approximately a week.

D. Families have faced additional impacts due to unexpected mail delays

- **Georgia from Lathrup Village, Michigan** is a retired senior whose husband just passed away. She said she started to notice USPS mail delays in June and July, with some mail delayed and some not arriving at all. The delays with USPS have affected her paperwork correspondence with the Social Security Administration (SSA), the Department of Health and Human Services, and insurance companies following her husband's passing. She said that they have always had good mail service, and "this took a toll, having this stuff dangling out there... All the paperwork stuff was insult to injury." She still has multiple documents that she mailed to SSA over two months ago that have not yet been received, including her original marriage license, which she would have liked back. She also reported a 6-day stretch in July where she got no mail at all, and then on the last night a large amount came at once. Georgia says she has luckily not experienced any financial impacts, but the delays have caused an added stress after her husband's passing.
- **Sheila from Milan, Michigan** said she sent a check with her daughter's college tuition in mid-to-late July that was delayed by about a month in the mail. During the delay the college told her she could not register until they received the check, but luckily it arrived the day after. She also said she was waiting on a check mailed to her home address during that time that took approximately a month until it was delivered, causing "a real issue."
- **David from Farmington, Michigan** was managing the affairs of his brother after he passed away, and he needed mail from each of his siblings to continue the process. According to David, two siblings from Michigan sent paperwork that arrived in a few days, but one from Washington sent mail that took 16 days to arrive, with First-Class delivery. After that, David started using Priority Express mail to correspond with the probate court in Alaska. It cost \$28 in postage to mail the petition.

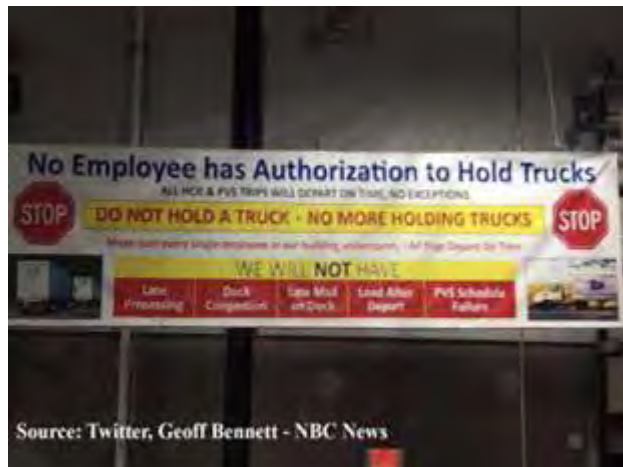
IV. ONGOING CONCERNS ABOUT POSTMASTER GENERAL DEJOY'S LEADERSHIP AND APPROACH

A. Postmaster General DeJoy failed to consider the likely service impacts of the transportation changes he ordered in July

Postmaster General DeJoy did not consider likely service impacts before making operational changes, particularly in his decision to eliminate late and extra trips – which resulted in severe delays.

Postmaster General DeJoy failed to conduct any meaningful analysis about how his planned changes could affect customers. Since July 17, 2020, Senator Peters repeatedly requested any information and documentation Mr. DeJoy used in making his decisions, including any analysis of potential impacts on service, or on-time mail delivery.⁶⁸ During the August 21 hearing, Mr. DeJoy repeatedly denied having any analysis behind his decisions or their service impacts, other than a “transportation schedule” and “analysis that designed the truck schedule.”⁶⁹ These referred to one of Mr. DeJoy’s most significant initiatives, his “emphasis on eliminating extra and late trips.”⁷⁰ When the

Postal Service finally provided information about this initiative in a briefing to the Committee on August 31, it included one slide outlining the reasoning behind the decision to cut late and extra trips, but no further analysis.⁷¹ At that briefing, the Postal Service (David Williams, Chief Logistics and Processing Operations Officer) confirmed that there was no additional analysis on potential service impacts: USPS was “expecting a service bump” simply because on-time “should mean better service” and USPS did not anticipate the significant drop in on-time mail delivery. The Postal Service confirmed at this briefing that this change specifically resulted in



Sign in Oregon USPS facility. DeJoy’s changes to truck trips mean nearly empty trucks were dispatched for delivery, contributing to significant delays.

⁶⁸ Letter from Ranking Member Gary C. Peters, to Louis DeJoy, Postmaster General and Chief Executive Officer, U.S. Postal Service (July 17, 2020); Letter from Ranking Member Gary C. Peters, to Louis DeJoy, Postmaster General and Chief Executive Officer, U.S. Postal Service (July 30, 2020); Letter from Ranking Member Gary C. Peters et al. to Louis DeJoy, Postmaster General and Chief Executive Officer, U.S. Postal Service (Aug. 17, 2020).

⁶⁹ Senate Committee on Homeland Security and Governmental Affairs, *Examining the Finances and Operations of the United States Postal Service During COVID-19 and Upcoming Elections*, 116th Cong. (Aug. 21, 2020); Responses to Questions for the Record, Postmaster General Louis DeJoy, U.S. Postal Service.

⁷⁰ Letter from David E. Williams, Chief Operating Officer and Executive Vice President, U.S. Postal Service, to Ranking Member Gary C. Peters et al. (Aug. 6, 2020).

⁷¹ U.S. Postal Service, Briefing with Senate Committee on Homeland Security and Governmental Affairs and House Committee on Oversight and Reform Staff (Aug. 31, 2020). *See also* U.S. Postal Service, *Congressional Briefing: Transportation & Service Performance Updates* (Aug. 31, 2020) (<https://about.usps.com/newsroom/global/pdf/0831-congressional-service-briefing.pdf>).

significant service disruptions, which Mr. DeJoy had admitted but downplayed in his testimony before Congress.

Postmaster General DeJoy made hasty and significant changes to the transportation network, despite the fact the Postal Service could easily have foreseen negative impacts. Over the course of two weeks, from July 5 to July 19, USPS reduced the number of weekly extra trips from approximately 15,000 to under 5,000, and cut weekly late trips from over 30,000 to under 8,000.⁷² While Mr. DeJoy characterized this decision as simply an effort to run trucks on time, abruptly eliminating these trips risked displacing the mail usually carried on them. The Postal Service collects data on the amount of mail in each truck, so it would have been possible to anticipate how much mail could be misplaced or delayed. At the briefing, Mr. Williams confirmed that the Postal Service did know how much mail was on those trips, but did not use this data to conduct additional forecasts.

Rather than taking action based on available information to address underlying causes of late and extra trips, Postmaster General DeJoy moved ahead with wholesale transportation changes. He cited a recent Postal Service Office of the Inspector General (OIG) report as his basis for working to eliminate late and extra trips.⁷³ This report did not recommend abrupt, wholesale stoppage of late and extra trips. Instead, the report emphasized that USPS uses such trips within “the surface and air networks to mitigate mail processing, delivery, and other delays” and made recommendations to evaluate the trips and address the underlying causes of the delays, such as inconsistent management oversight, a truck driver shortage, and misallocation of mail on high-cost air carriers. The OIG also found that 74% of late trips were due to contractor failure, delays in sorting or building mail containers, and congestion in operations sometimes due to a lack of available staff. Postal Service management agreed with the majority of these recommendations and began to implement them in May 2020.⁷⁴

Mr. DeJoy’s main stated reason for this change was to cut costs. At the August 21 hearing, he stated, “the day I was sworn in I received a report from the OIG that spoke about the things that you were talking about – late deliveries, late dispatch, extra trips, and all the time and costs associated around this that approximated \$4 billion. We were facing – I had \$13 billion in cash and \$12.5 billion of payments to make in the next nine months, and no help in sight. So I needed to look at a positive impact on cost savings.”⁷⁵ However, although Mr. DeJoy cited \$4 billion in savings, the OIG report he referenced identifies only \$550 million spent in 2019 on “extra in transportation to mitigate delays that occurred in the network,” including \$266 million for extra

⁷² U.S. Postal Service, Briefing with Senate Committee on Homeland Security and Governmental Affairs and House Committee on Oversight and Reform Staff (Aug. 31, 2020).

⁷³ Senate Committee on Homeland Security and Governmental Affairs, *Examining the Finances and Operations of the United States Postal Service During COVID-19 and Upcoming Elections*, 116th Cong. (Aug. 21, 2020); U.S. Postal Service, Briefing with Senate Committee on Homeland Security and Governmental Affairs and House Committee on Oversight and Reform Staff (Aug. 31, 2020).

⁷⁴ U.S. Postal Service Office of Inspector General, *Transportation Network Optimization and Service Performance* (Report 20-144-R20) (June 5, 2020) (<https://www.uspsoidg.gov/sites/default/files/document-library-files/2020/20-144-R20.pdf>).

⁷⁵ Senate Committee on Homeland Security and Governmental Affairs, *Examining the Finances and Operations of the United States Postal Service During COVID-19 and Upcoming Elections*, 116th Cong. (Aug. 21, 2020).

trips, \$14 million for late trips, \$130 million in overtime, and \$140 million in air freight mitigation.⁷⁶ Postmaster General DeJoy's changes appear to have been focused on cost-cutting based on an inflated estimate, and at a high cost to the American people in terms of delays.

B. DeJoy did not consult with key stakeholders before making significant changes – possibly in violation of the law

The Postal Reorganization Act of 1970 (PRA) and the Postal Accountability and Enhancement Act of 2006 (PAEA) require that any changes the Postal Service intends to make that would affect nationwide service be submitted to the Postal Regulatory Commission for an advisory opinion, which includes a public hearing process. The laws require that:

[W]hen the Postal Service determines that there should be a change in the nature of postal services that will generally affect service on a nationwide or substantially nationwide basis, it shall submit a proposal, within a reasonable time prior to the effective date of such proposal, to the Postal Regulatory Commission requesting an advisory opinion on the change.”⁷⁷

In a July 22 letter to Senator Peters, USPS General Counsel, Thomas Marshall stated that USPS was “aware of our legal obligations to request an advisory opinion before implementing a ‘change in the nature of postal services which will generally affect service on a nationwide or substantially nationwide basis’ under 39 U.S.C. § 3661(b). None of the operational efforts discussed here constitute such a change.”

Multiple lawsuits have been filed recently that allege that Postmaster General DeJoy's recent changes to mail service and delivery violate procedural obligations under federal law.⁷⁸ Specifically, the lawsuits allege that Postmaster General DeJoy's July 2020 directive eliminating extra mail transportation trips, imposing reductions in overtime, changing mail sorting and delivery policies in certain post offices, and reducing equipment at mail processing plants, clearly had a nationwide impact on mail service and therefore falls within the requirements under the PRA and PAEA. The lawsuits also allege that Postmaster General DeJoy failed to follow the required processes before instituting these changes, thereby violating federal law.

In addition, the Postmaster General failed to consult key Postal Service stakeholders, particularly the business community, about his decisions prior to implementation. According to business groups, customers, and contracting partners of the Postal Service, Postmaster General DeJoy did not meet with them or consult them about the proposed changes. In the past, Postmasters General have discussed such changes with these key stakeholders prior to implementation to obtain valuable feedback.⁷⁹ Consultation with these stakeholders, as well as with unions, Congress, and

⁷⁶ U.S. Postal Service Office of Inspector General, *Transportation Network Optimization and Service Performance* (Report 20-144-R20) (June 5, 2020) (<https://www.uspsoidg.gov/sites/default/files/document-library-files/2020/20-144-R20.pdf>).

⁷⁷ 39 U.S.C. § 3661.

⁷⁸ *NAACP v. USPS and Louis DeJoy* is pending in the District Court for the District of Columbia. The second lawsuit, *State of Washington v. Trump, USPS, and DeJoy*, is pending in the Eastern District of Washington State.

⁷⁹ HSGAC staff conversations with stakeholders.

the general public, can provide key insights and prevent mistakes. As a public entity, the Postal Service has an obligation to provide such transparency

C. More changes to come – little sign of increased transparency

Postmaster General DeJoy has admitted that he is considering future changes to the Postal Service that could harm postal customers nationwide. Recent reports on internal Postal Service discussions⁸⁰ revealed that DeJoy has proposed changes including: changing service standards, which would permanently create slower standards for mail; reducing nonprofit discounts; increasing prices on competitive products including packages; leasing postal facility space for commercial purposes; changing pricing for Alaska, Hawaii, and Puerto Rico; and eliminating Alaska bypass mail. These changes would dramatically decrease service and increase costs for people who rely on the mail, disproportionately affecting rural areas and particular locations.

When asked about these proposals at the Homeland Security and Governmental Affairs Committee hearing on August 21, Postmaster General DeJoy admitted that he is “considering dramatic changes” to the Postal Service, including these changes.

D. Election Mail

Delays and mail backups have sparked fears that the Postal Service may not be able to handle unprecedented high volumes of election mail in the 2020 general election. During the acute drop in on-time delivery in July, some Americans reported delays in their election mail. For example, as described above, one individual from Big Bay, Michigan, filled out and mailed in her ballot for the August primary election as soon as she received it, but found out it was not received by the township until after the election. In another instance, postal workers reported finding absentee ballots that had been postmarked before a primary election, but were found after the election in stacks of mail that had been delayed in a processing plant.⁸¹ Any continued delays may threaten the Postal Service’s ability to swiftly deliver all election mail and carry out proper processing procedures.

The Postal Service has robust procedures in place to ensure election mail is delivered quickly. In response to Senator Peters’ questions about election mail operations,⁸² the Postal Service provided documentation of these procedures, including employee instructions (service talks) and operations manuals distributed in 2020. These include instructions for delivering ballots even if the postage is unpaid or shortpaid, making sure all return ballots are postmarked by machine or

⁸⁰ *Postmaster general eyes aggressive changes at Postal Service after election*, Washington Post (Aug. 20, 2020) (<https://www.washingtonpost.com/business/2020/08/20/us-postal-service-louis-dejoy/>).

⁸¹ HSGAC staff conversations with postal workers.

⁸² Senate Committee on Homeland Security and Governmental Affairs, *Examining the Finances and Operations of the United States Postal Service During COVID-19 and Upcoming Elections*, 116th Cong. (Aug. 21, 2020); Letter from Ranking Member Gary C. Peters et al. to Louis DeJoy, Postmaster General and Chief Executive Officer, U.S. Postal Service (Aug. 5, 2020); Letter from Ranking Member Gary C. Peters et al. to Louis DeJoy, Postmaster General and Chief Executive Officer, U.S. Postal Service (Aug. 12, 2020).

by hand, running daily all-clears to certify that all election mail is moved out each day, and logging the movements of election mail.⁸³

In testimony before Congress, the Postmaster General committed to following existing election mail practices and procedures, including the Postal Service's longstanding practice of processing all election mail under the fastest service standard, similar to First-Class mail.⁸⁴ At the August 21 Homeland Security and Governmental Affairs Committee hearing, Senator Peters asked Mr. DeJoy, "Will you continue the processes and procedures to allow election mail to move as expeditiously as possible, and treated like First-Class?" Mr. DeJoy answered, "Yes, sir. We will deploy the processes and procedures that advance any election mail, in some cases ahead of First-Class mail." He also committed to meeting the goal of "delivering at least 95 percent of election mail within one to three days this year, the same as the Postal Service did in 2018," meeting the First-Class service standard.⁸⁵

However, Senator Peters and his colleagues have sought information about the Postal Service's ability to enforce these procedures, particularly if there are mail delays or diminished capacity.⁸⁶ Even prior to Mr. DeJoy's changes, the USPS OIG found that election mail processing procedures were not fully carried out and enforced in all facilities during the May and June primaries. The OIG recommended the Postal Service fully enforce these procedures and more clearly designate who is responsible for enforcement.⁸⁷ Delays or diminished processing capacity could exacerbate these problems, although the Postal Service is generally capable of handling high mail volumes. During "peak season" over the holidays in 2019, for example, the Postal Service processed approximately 2.5 billion pieces of First-Class and Marketing Mail per week, the same types of mail used for election mailings.⁸⁸ In the 2020 general election, about 209 million voters are eligible to vote by mail,⁸⁹ which would generate 518 million mailings over a

⁸³ U.S. Postal Service, *Processing Operations Management Order: 2020 Political and Election Mail Policies and Procedures* (July 29, 2020); David E. Williams, Chief Operating Officer and Executive Vice President, U.S. Postal Service, *Postmarks on Ballots* (July 2, 2020); U.S. Postal Service, *Processing Operations Management Order: 2020 Election Mail Service Talk* (Feb. 2020)

⁸⁴ Although some states use Nonprofit Marketing Mail to send outgoing mail to voters, which carries a cheaper rate as well as a longer service standard of 3-10 days compared to 2-5 days for First-Class mail, the Postal Service has historically processed all election mail according to a higher standard that meets or exceeds that of First-Class mail. See U.S. Postal Service Office of Inspector General, *Service Performance of Election and Political Mail During the 2018 Midterm and Special Elections* (19XG010NO000-R20) (Nov. 4, 2019) (<https://www.uspsoig.gov/sites/default/files/document-library-files/2019/19XG010NO000.pdf>).

⁸⁵ Senate Committee on Homeland Security and Governmental Affairs, *Examining the Finances and Operations of the United States Postal Service During COVID-19 and Upcoming Elections*, 116th Cong. (Aug. 21, 2020).

⁸⁶ Letter from Ranking Member Gary C. Peters et al. to Louis DeJoy, Postmaster General and Chief Executive Officer, U.S. Postal Service (Aug. 5, 2020); Letter from Thomas J. Marshall, General Counsel and Executive Vice President, U.S. Postal Service, to Ranking Member Gary C. Peters et al. (Aug. 14, 2020).

⁸⁷ U.S. Postal Service Office of Inspector General, *Processing Readiness of Election and Political Mail During the 2020 General Elections* (20-225-R2) (Aug. 31, 2020) (<https://www.uspsoig.gov/sites/default/files/document-library-files/2020/20-225-R20.pdf>).

⁸⁸ In Q1 2020 (Oct.-Dec. 31 2019), USPS processed 14.3 billion pieces of First-Class Mail, and 20.3 billion pieces of Marketing Mail (34.6 billion pieces of mail over a 14-week period, or approx. 2.5 billion pieces per week on average). See U.S. Postal Regulatory Commission, *Quarter I, 2020 Report on Form 10-Q* (Feb. 6, 2020) (<https://about.usps.com/what/financials/financial-conditions-results-reports/fy2020-q1.pdf>).

⁸⁹ *Where Americans Can Vote by Mail in the 2020 Elections*, New York Times (Aug. 14, 2020) (<https://www.nytimes.com/interactive/2020/08/11/us/politics/vote-by-mail-us-states.html>).

two-month period if every eligible voter uses this option to receive and send back a ballot. However, it is critical that the Postal Service fully utilize this capacity, ensure each location is ready to handle the volume, and enforce procedures to quickly move election mail.

The Postal Service has also struggled to closely coordinate with state and local election officials. While USPS employs 76 full-time Election Mail Coordinators who are tasked to assist local officials, a July 2020 Inspector General report identified gaps in this coordination and made recommendations to improve it.⁹⁰ This problem emerged again recently when USPS began to send a national mailing to all households with information about election mail. While the mailing contained broad advice including “give yourself and election officials ample time” and “contact your election board to confirm” local regulations, it also contained directions that do not apply in all states, including “request your mail-in ballot...at least 15 days before Election Day” which is inapplicable in states that mail all voters a ballot. The Postal Service reportedly did not consult with state and local officials prior to finalizing this mailing.⁹¹ USPS could easily have edited the mailer to correct these misleading statements, while maintaining its plans for this informative national mailing.

After facing pressure from Congress to ensure election mail performance and improve coordination with states, the Postal Service Board of Governors created an Election Mail Committee, which is monitoring USPS’s election mail operations and coordinating with stakeholders to “ensure that [USPS’s] part of this election process is implemented in the most effective way possible.”⁹² USPS also established a new website for the public with information about election mail: <http://usps.com/votinginfo>. While the Postal Service has made some commitments and taken action in response to congressional concerns, this Committee will continue to monitor whether USPS will eliminate delays, prepare each facility for election mail volumes, and enforce procedures to quickly deliver election mail.

⁹⁰ Letter from Thomas J. Marshall, General Counsel and Executive Vice President, U.S. Postal Service, to Ranking Member Gary C. Peters et al. (Aug. 14, 2020); U.S. Postal Service Office of Inspector General, *Management Alert: Timeliness of Ballot Mail in the Milwaukee P&DC Service Area* (20-235-R20) (July 7, 2020) (<https://www.uspsoig.gov/sites/default/files/document-library-files/2020/20-235-R20.pdf>).

⁹¹ *Federal judge blocks USPS from sending mailers containing incorrect voting information to Coloradans*, Denver Post (Sept. 12, 2020) (<https://www.denverpost.com/2020/09/12/jena-griswold-usps-lawsuit-election-misinformation>).

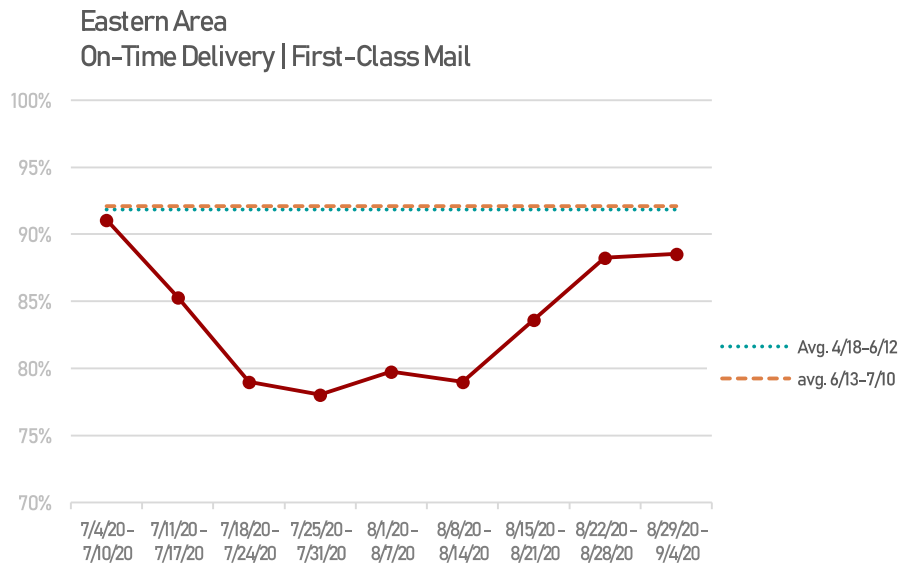
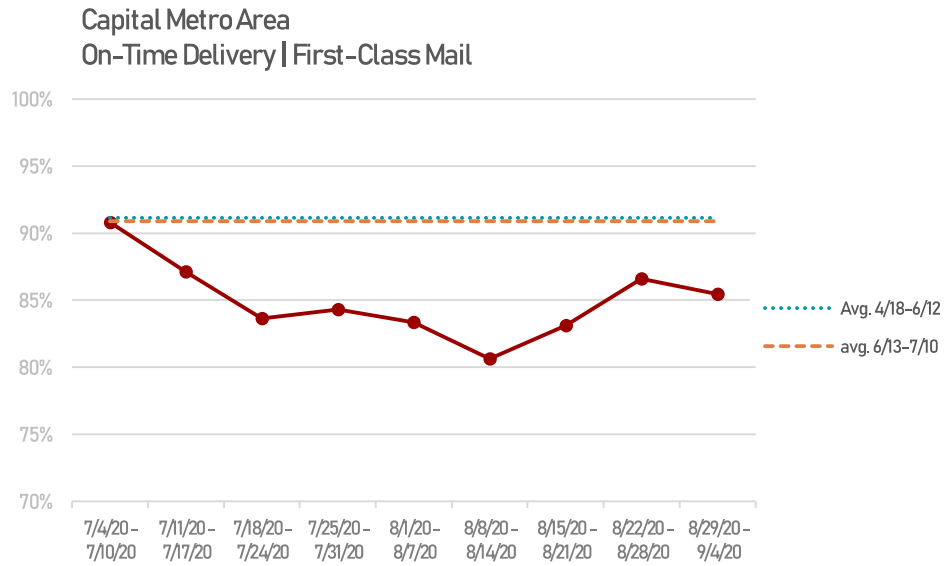
⁹² U.S. Postal Service: *USPS Board of Governors Announces Bipartisan Election Mail Committee* (Aug. 21, 2020).

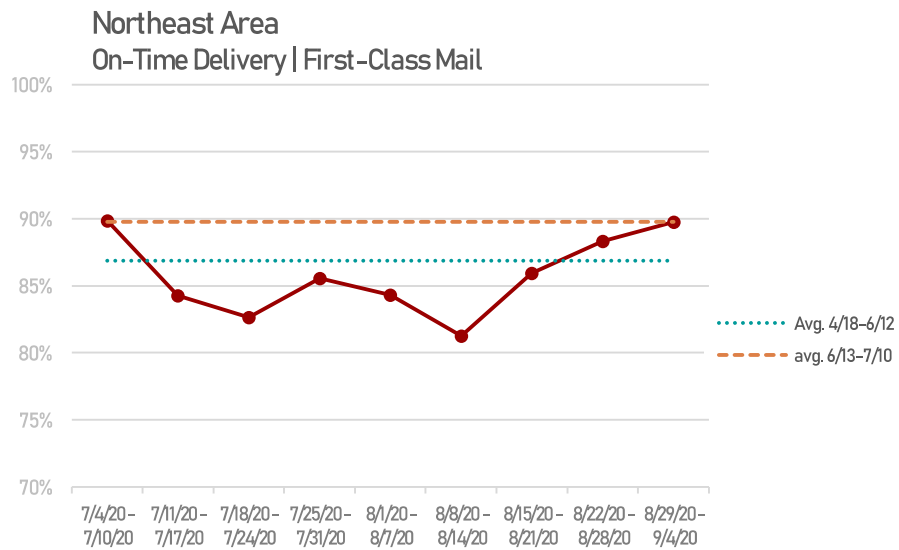
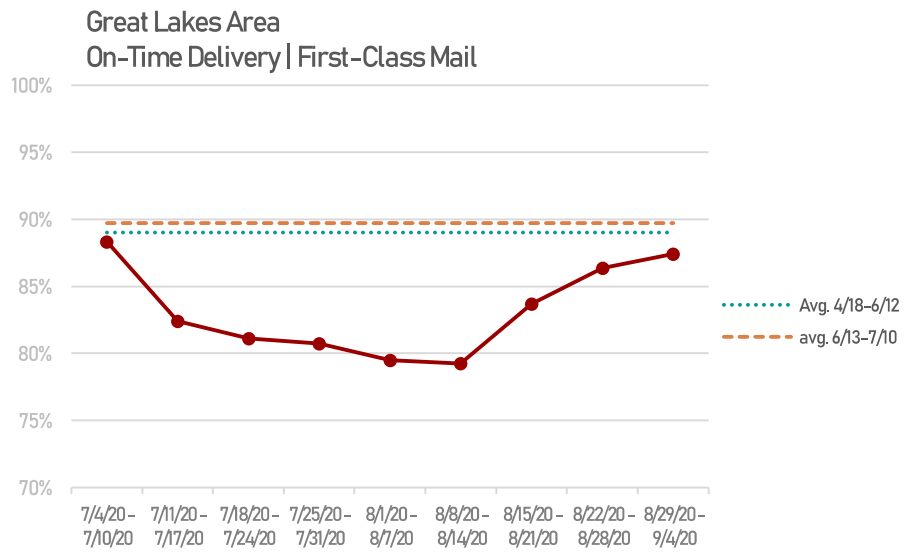
CONCLUSION

Postmaster General DeJoy directed operational changes at the Postal Service that slowed mail service across the country beginning in July 2020, delaying critical mail and causing real harm to Americans. On-time delivery dropped precipitously in every region across the nation, with tens of millions of pieces of mail delayed in a single week due to the Postmaster General's actions. The delays have continued for months, and service performance has still not fully recovered. Postmaster General DeJoy made these changes, including abruptly cutting extra and late trips, without regard to their potential negative impact on postal customers, and despite available evidence that the changes could cause delays. He was not transparent with the public, Congress, or key stakeholders about his decisions and has continued to downplay their damaging effects. Postmaster General DeJoy's actions have hurt Americans who rely on medication, seniors, veterans, small businesses, people living paycheck to paycheck, and many others across the country.

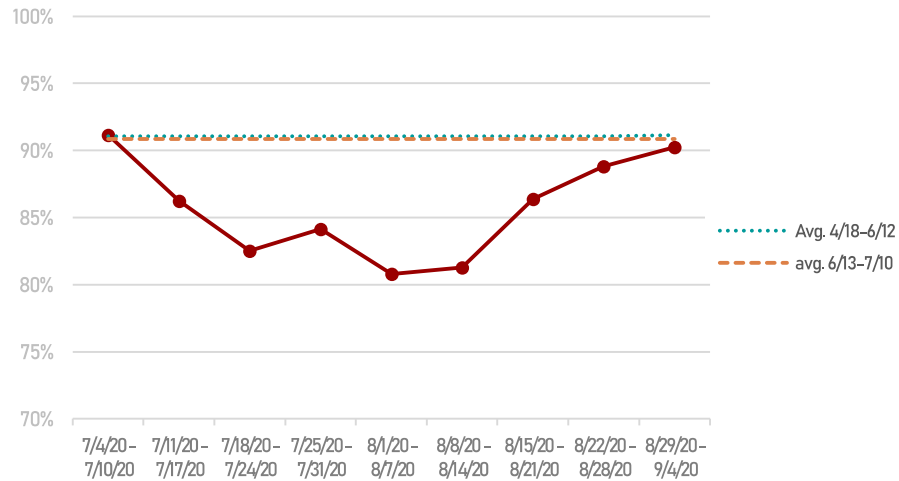
The Postal Service must cease and reverse any actions that are causing mail delays. Congress should continue to hold Postmaster General DeJoy accountable by passing the Delivering for America Act, to prevent any further changes that could harm service during the COVID-19 pandemic. The Postmaster General must recognize the harm he has done and most importantly, swiftly restore on-time delivery of medications, checks, bills, critical goods, and all mail. The Postal Service also must follow each of its policies and practices for swiftly delivering election mail, which requires eliminating delays and backups. Postmaster General DeJoy must be transparent about all actions he is taking, and ensure that he is capable of maintaining a Postal Service that serves the American people.

APPENDIX

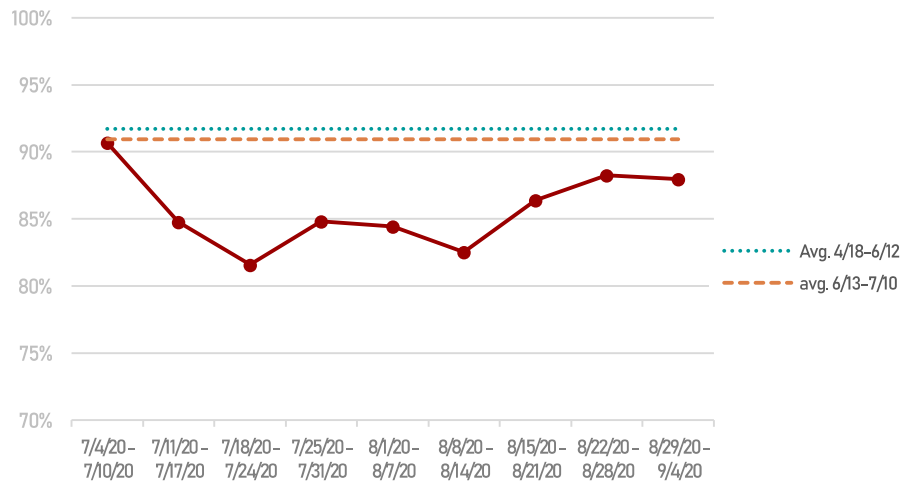




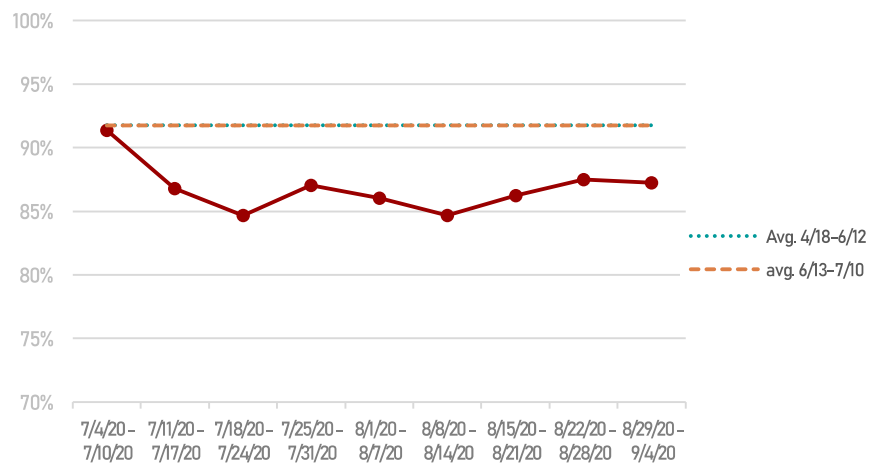
Pacific Area On-Time Delivery | First-Class Mail



Southern Area On-Time Delivery | First-Class Mail



Western Area On-Time Delivery | First-Class Mail



Exh. A-21

Exh. A-21	
Title	Author. "Postal Crisis Ripples Across Nation as Election Looms." <i>Periodical</i> , 18 Aug. 2020.
URL	https://www.nytimes.com/2020/08/15/us/post-office-vote-by-mail.html?auth=login-email&login=email
<p>"The USPS] has warned states that it may not be able to meet their deadlines for delivering last-minute ballots. And this week, Mr. Trump said he opposed new postal funding because of his opposition to mail-in voting, which he complains will benefit Democrats and claims — without evidence — is riddled with fraud. At risk are not just the ballots — and medical prescriptions and paychecks — of residents around the country, but also the reputation of the Postal Service as the most popular and perhaps the least politicized part of the federal government."</p>	

Postal Crisis Ripples Across Nation as Election Looms

President Trump's furious objection to mail-in balloting and a new Trump-allied postmaster general are raising fears about the election and the Postal Service.

By Luke Broadwater, Jack Healy, Michael D. Shear and Hailey Fuchs

Published Aug. 15, 2020 Updated Aug. 18, 2020

DARBY, Pa. — Each day, when Nick Casselli, the president of a Philadelphia postal workers union, sits down at his desk on Main Street in this historic town where trolley cars still run and the post office is a source of civic pride, his phone is full of alarmed messages about increasing delays in mail delivery.

Mr. Casselli and his 1,600 members have been in a state of high alert since Louis DeJoy, a Republican megadonor and an ally of President Trump's, took over as postmaster general in May. Overtime was eliminated, prompting backups. Seven mail-sorting machines were removed from a nearby processing center in West Philadelphia, causing further delays. Now, post offices are being told to open later and close during lunch.

“I have some customers banging on my people's doors: ‘Open up!’” Mr. Casselli said. “I've never seen that in my whole 35-year postal career.”

Similar accounts of slowdowns and curtailed service are emerging across the country as Mr. DeJoy pushes cost-cutting measures that he says are intended to overhaul an agency suffering billion-dollar losses. But as Mr. Trump rails almost daily against the service and delays clog the mail, voters and postal workers warn a crisis is building that could disenfranchise record numbers of Americans who will be casting ballots by mail in November because of the coronavirus

outbreak.

For the most part, experts and employees say, the Postal Service is still capable of operating as usual. Yet the agency has warned states that it may not be able to meet their deadlines for delivering last-minute ballots. And this week, Mr. Trump said he opposed new postal funding because of his opposition to mail-in voting, which he complains will benefit Democrats and claims — without evidence — is riddled with fraud. At risk are not just the ballots — and medical prescriptions and paychecks — of residents around the country, but also the reputation of the Postal Service as the most popular and perhaps the least politicized part of the federal government.



Nick Casselli, president of the American Postal Worker's Union Local 89, in Darby, Pa., said he had been inundated with alarmed messages about delays in mail delivery. Michelle Gustafson for The New York Times

Philadelphia, a heavily Democratic city in a critical swing state, is a vivid example of how alarmed people have become. Representative Brendan Boyle said his office had received 345 complaints about the Postal Service last month — compared with just 17 in July 2019. Elected officials in several states say they have been flooded by worried calls and emails.

Victoria Brownworth, a freelance journalist in Philadelphia, is among the

residents worried about whether her ballot will be counted — and, in her case, also worried about much more.

For Ms. Brownworth, who was paralyzed four years ago, the mail is her lifeline, delivering prescriptions and checks and mail-in ballots to her Philadelphia home. But that lifeline has snapped. She said she had received mail just twice in the past three weeks, and she dreaded November's election, worried that her ballot would suffer the same fate as the oxygen tube that she ordered three weeks ago — and that had still not arrived.

“It’s just terrifying,” Ms. Brownworth said. “Every day I ask my wife, ‘Did we get any mail?’ she says, ‘No.’”

Mr. DeJoy, the postmaster general, told the Postal Service’s board of governors last week that there would be no slowdown of mail ballots and promised to deliver votes “securely and on time.”

Experts agree that the Postal Service has the raw capacity to absorb additional ballots, even if 150 million people decided to vote by mail. In the month before Christmas every year, carriers deliver billions of pieces of mail and packages.

“When you think about it from the standpoint of how much mail they handle, even in their currently diminished state, if every registered voter in the entire country voted by mail, that would be something they could still easily handle,” said Arthur Sackler, who runs the Coalition for a 21st Century Postal Service, a lobbying group representing bulk mailers. “The question is whether these operational changes will have any impact on their ability to do so.”

“If everything is delayed,” he added, “that will include the ballots.”



Henrietta Dixon, a postal carrier, sorted mail in Philadelphia in May. The delays in Philadelphia are especially severe. Matt Rourke/Associated Press

Still, interviews with mail customers, election officials and postal workers in six battleground states show that mail delays — and 2020 worries — are widespread.

In Ohio, where mail voting is likely to double, piles of undelivered mail are sitting in a Cleveland distribution center. In rural Michigan, diabetes medicine that used to arrive in three days now takes almost two weeks. In the Milwaukee area, dozens of trailers filled with packages are left behind every day. In New Glarus, Wis., the owners of the Maple Leaf Cheese and Chocolate Haus are worried their cheese will go bad now that deliveries that used to take two to three days are taking twice that.

“I’m definitely concerned that votes won’t be counted or that they won’t be able

to handle all of the ballots that need to be processed through the post office,” said Cynthia Shumway, whose family owns the shop.

The disturbances have prompted a full-scale political war in Washington, where Mr. Trump falsely insists that mail-in voting is wracked by fraud and where billions of dollars in emergency aid that could help stem huge losses at the Postal Service are caught in a partisan drama.

Democratic lawmakers have accused the president of sabotaging the Postal Service as a means of voter suppression and have started multiple investigations and demanded an end to delays. Speaker Nancy Pelosi of California and other top Democrats in the House have begun discussing bringing lawmakers back early from their summer recess to address the issues with the Postal Service, two people familiar with the talks said on Saturday. On Friday, the postal services’s inspector general said she had opened an inquiry into Mr. DeJoy’s actions.

Mr. Boyle, the Philadelphia congressman, for example, said it was no accident that mail service had become so abysmal in the key Democratic population center in Pennsylvania.

Election 2020 ›

Understand Mail-In Voting

Updated Sept. 15, 2020

- **Rise in Mail Voting:** About [three-quarters of all American voters will be eligible to receive a ballot in the mail for the 2020 election](#) — the most in U.S. history. Roughly 80 million mail ballots may flood election offices, more than double what was returned in 2016.
- **Surge in Paper Mail:** The long-troubled Postal Service [may be overwhelmed](#) by the task of delivering tens of millions more votes cast by mail.

SEE MORE ▼

“There is no plausible way for Donald Trump or Joe Biden to get to 270 electoral votes without Pennsylvania,” he said.

While Mr. Trump’s war on the Postal Service seems aimed at Democrats, few Americans rely more on the mail than rural residents, many of whom are Trump voters. As a result, there are also a number of Republicans uneasy about what’s happening with the agency, in particular three Republican senators from largely rural mail-dependent states who are facing competitive re-elections this fall: Steve Daines of Montana, Dan Sullivan of Alaska and Susan Collins of Maine.



Louis DeJoy, a Republican megadonor and ally of President Trump’s, took over as postmaster general in May. Erin Schaff/The New York Times

Mr. DeJoy has said he is trying to reform an organization with a “broken business model” facing a litany of billion-dollar losses and declines in mail volumes.

But voters and postal workers said the Postal Service was more than a business. To Michele Brown, 67, who lives in Morley, Mich., the post office in the rural

community serves as a gathering point and source of stability, employment and a critical link to the rest of the world.

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But not lately. Her 73-year-old husband, Bill, went three days without medication to treat his diabetes as the couple waited nearly two weeks for it to arrive in the mail from the Department of Veterans Affairs.

“I feel like they’re playing games,” Ms. Brown said. “The mail had worked so efficiently. Letters I sent got there the next day. Now you can’t count on any of that.”

Postal workers from small-town post offices to metropolitan distribution centers say they used to operate along a simple motto: Every piece, every day, meaning that they did not leave until all of the day’s mail went out the door. No more, they say.

Postal workers say drivers are being sent out according to set schedules, whether or not all of the morning’s mail is ready for them, and delivery trucks now have strict cutoff times for when they have to be gone. They say they are already short on staff because of quarantines and the coronavirus outbreak, and limits on working overtime are pushing them further behind.

“Mail is coming into the building faster than we can get it out,” said Mary DiMarco, who sorts bundles in a Miami postal center. “I’m concerned about ballots being handled. That they’re not going to be processed in time.”

The stakes in this year’s election are higher than ever. While nearly a quarter of Americans voted absentee or by mail in 2016, millions more are expected to mail their ballots this year because of the coronavirus crisis.

In Ohio, mail-in voting has been common for more than two decades, and a quarter of the state’s voters regularly cast their ballots by mail. But some postal

workers say the recent changes in work rules have drastically slowed their ability to deliver mail, raising concerns that votes cast just several days before the election might not make it in time to be counted.

Daleo Freeman, a 26-year veteran of the Postal Service and now the president of the local American Postal Workers Union in Cleveland, described piles of mail stacking up in the regional distribution center and in postal offices around the region.

“The decisions happened so rapidly — now we are seeing the effect of those decisions,” Mr. Freeman said. “People are coming in every day complaining about how long it’s taking them to receive everything: ‘What the heck is going on?’”

He said further delays had occurred after five mail-sorting machines in the major Cleveland-area distribution center were dismantled in recent days. Critics worried that political influence inside the Postal Service have focused on the removal of 671 sorting machines — about one-eighth of its devices — from facilities across the country.

But a Postal Service spokesman, David A. Partenheimer, disputed that there was anything out of the ordinary, saying that the agency was removing the sorting machines because of declines in the volume of mail. While people are receiving far more packages these days, business and commercial mail is down sharply.

“The Postal Service routinely moves equipment around its network as necessary to match changing mail and package volumes,” Mr. Partenheimer said.

There have already been problems with this year’s elections in which mail ballots played a more prominent role.

Hundreds of ballots in Wisconsin were left in tubs, unaccounted for, at the Milwaukee processing and distribution center during the state’s primary in April. About 160 ballots were erroneously returned to a local election office, while another 390 had issues with the postmark that led to confusion as to

whether they could be counted, according to a report from the Postal Service inspector general.

Ohio ran a delayed primary election that was marred by widespread reports of mail slowdowns, especially in Northwest Ohio, prompting Secretary of State Frank LaRose to urge the Postal Service to devote additional resources to making sure ballots were delivered on time.

Now, Mr. LaRose, a Republican, said that he was concerned about possible delays in mail delivery despite assurances from postal officials that the changes would not affect how quickly ballots were sent.

“On the ground, it seems like that’s not necessarily the case — it seems like there are impacts,” he said on Friday. “They need to be very careful about making changes to something that we rely on so much for something as essential as elections administration.”



Experts agree that the Postal Service has the raw capacity to absorb additional ballots, even if 150 million people decided to vote by mail. Paul Ratje/Agence France-Presse — Getty Images

In Butler County, north of Cincinnati, two postal officials walked into the election board offices on May 8, more than a week after the April 28 elections, carrying two buckets filled with 317 unopened ballots that had been discovered too late to be counted.

“We have not received a good explanation yet,” said Diane Noonan, the Republican director of the Butler board of elections. “The thing I was told that day was that it was found in a corner of a warehouse.”

Ms. Noonan said she was concerned about the possibility that issues with the mail service could affect the ability of her office to accurately count the votes in November, especially if voters waited until the last minute to request a ballot. She has been urging voters to apply early for a mail ballot and return it immediately.

In Ohio, state law allows voters to request a mail-in ballot up until noon on Saturday, Oct. 31, just three days before the election. Even under the best of circumstances, that would leave little time for the Postal Service to deliver a blank ballot and then turn around and deliver the completed one by Monday, Nov. 2, the deadline in Ohio.

In Racine, Wis., Melissa Rymsha, a stay-at-home mother of two, does not want to risk contracting the virus in November, so she plans to vote by mail. But the face masks she recently ordered have been stuck in transit for days, and she worries that in several weeks, her ballot could be, too.

“I’m kind of just going to cross my fingers and hope that it goes through the way it’s supposed to,” she said. “I don’t really have too much of an option.”

Luke Broadwater reported from Darby, Pa., Jack Healy from Denver, and Michael Shear and Hailey Fuchs from Washington. Jonathan Martin, Lucy Tompkins and Emily Cochrane contributed reporting. Susan Beachy contributed research.

Exh. A-22

Exh. A-22	
Title	Scheck, Tom; Hing, Geoff; and Hall Dee. "Postal delivery scores in five battleground states are missing targets as mail voting increases." <i>APMReports</i> , 12 Aug. 2020.
URL	https://www.apmreports.org/story/2020/08/12/postal-delivery-scores-battleground-states-mail-voting
"Based on its own performance measures, the U.S. Postal Service has its work cut out for it before Election Day. Among the 13 postal districts serving key presidential battleground states, four failed to meet any on-time service goals handling first-class mail between April 1 and June 30, and six districts achieved only one."	



Postal delivery scores in five battleground states are missing targets as mail voting increases

Large cities in key states — Philadelphia, Detroit, Milwaukee — have sub-par delivery records; a former deputy postmaster general estimates tens of thousands of mailed ballots will be at risk for late delivery.

August 12, 2020 | by [Tom Scheck](#), [Geoff Hing](#), and [Dee J. Hall](#)



Election official Jim Fortner places a crate of sorted absentee ballots with others from the same ward at the Madison, Wisconsin, City-County Building on Aug. 5, 2020. Madison elections workers alphabetized each returned absentee ballot by hand in preparation for Wisconsin's partisan primary on Tuesday. Delays and failure to deliver absentee ballots in Wisconsin and other key swing states have sparked concerns about how well the November presidential election will be managed during the pandemic. Will Cioci | Wisconsin Watch

This story was co-published with [Wisconsin Watch](#).

Based on its own performance measures, the U.S. Postal Service has its work cut out for it before Election Day.

Among the 13 postal districts serving key presidential battleground states, four failed to meet any on-time service goals handling first-class mail between April 1 and June 30, and six districts achieved only one.

DATA [USPS performance in key battleground states](#)

The laggards are in, or in parts of, five battleground states — Pennsylvania, Michigan, Florida, Wisconsin and North Carolina — politically competitive blends of urban and rural voters that will likely determine the presidential election. The postal service district serving Arizona, also expected to be a highly competitive

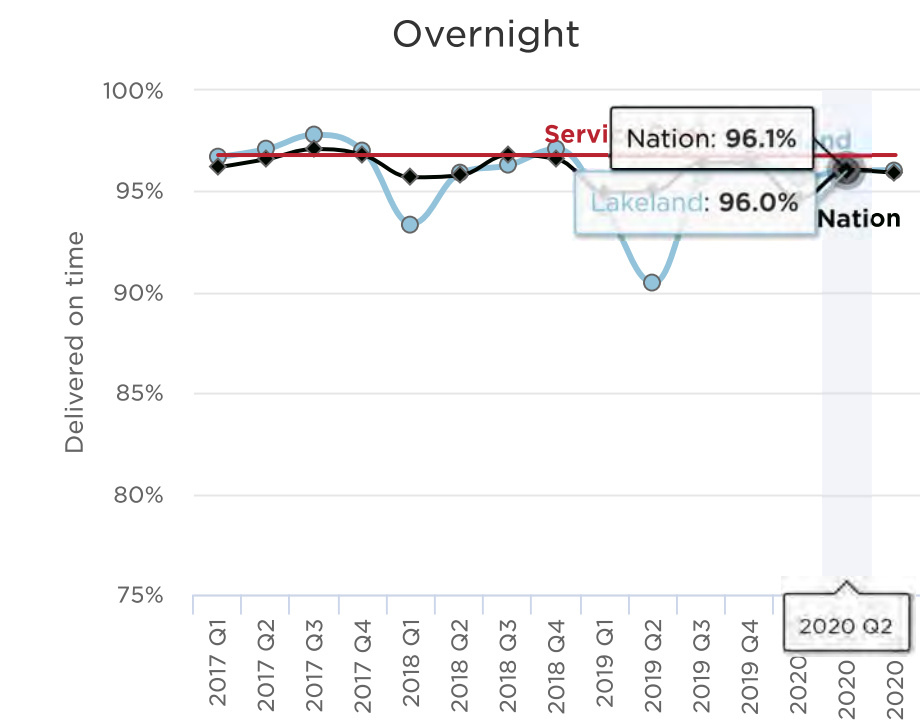
state but with voters who typically vote by mail, hit both delivery targets.

Three of the postal districts that missed both targets represent the largest metropolitan areas in their respective states — Philadelphia, Detroit and Milwaukee, Democratic strongholds in states that propelled Donald Trump to victory in 2016.

The 13 districts were not outliers compared to the rest of the country. More than half of the nation’s 67 postal districts failed to meet any first-class mail delivery goals and 23 only met one. And the below-par delivery performance in districts representing parts of Wisconsin, Michigan, and Florida — where the presidential campaigns are spending millions — continues a trend: They have missed targets more often than many other districts across the country since the end of 2016.

District serving eastern Wisconsin rarely hits service targets

Since the end of 2016, the Lakeland postal district has met targets for either the overnight or two-day service standard in only four quarters. This puts Lakeland in the bottom quarter of all districts by this measure. In that same time period, Lakeland’s scores for both service standards were below the national score in six quarters.



NOTE: The postal service measures performance by comparing the measured time it takes to deliver a piece of mail with a [service standard](#) that's based on where a letter is mailed and its destination. These charts show on-time percentage scores for the overnight and two-day delivery standards of Presort First-Class Mail. The fiscal year 2020 service goals are 96.8% for mail assigned an overnight delivery standard and 96.5% for mail assigned a two-day standard. The postal service changed its data collection practices in fiscal year 2019. As a result, care should be taken when comparing quarterly scores from

fiscal year 2019 onward with previous quarters. SOURCE: [Quarterly Service Performance Reports](#), U.S. Postal Regulatory Commission

Any other year, perhaps any other election year, a steady underperformance of mail delivery in swing states would go unnoticed. This year, though, the arcane, unremarkable metrics — Service Performance Management Data — have taken on outsized importance: They may foreshadow the hot spots of a ballot counting controversy on Election Day and the days that follow.

“I believe it is highly likely that in the November General Election, the absentee ballots of at least tens of thousands of voters will arrive at election offices after Election Day and will not be counted unless the Ballot Receipt Deadline is extended,” wrote Ronald Stroman, the Deputy Postmaster General of the United States Postal Service from 2011 until June 1, in a recent court filing challenging the Wisconsin deadline for ballot submission.

Democrats, in particular, are worried about on-time mail arrival deadlines in other states, as well. While some allow for mailed ballots to be accepted if postmarked on Election Day, other battleground states — Pennsylvania, Michigan and Florida — require ballots to be in the hands of elections officers on Election Day. Lawyers representing voting rights and civil rights groups are suing to allow ballots to count even if the ballot envelopes are postmarked on Election Day.

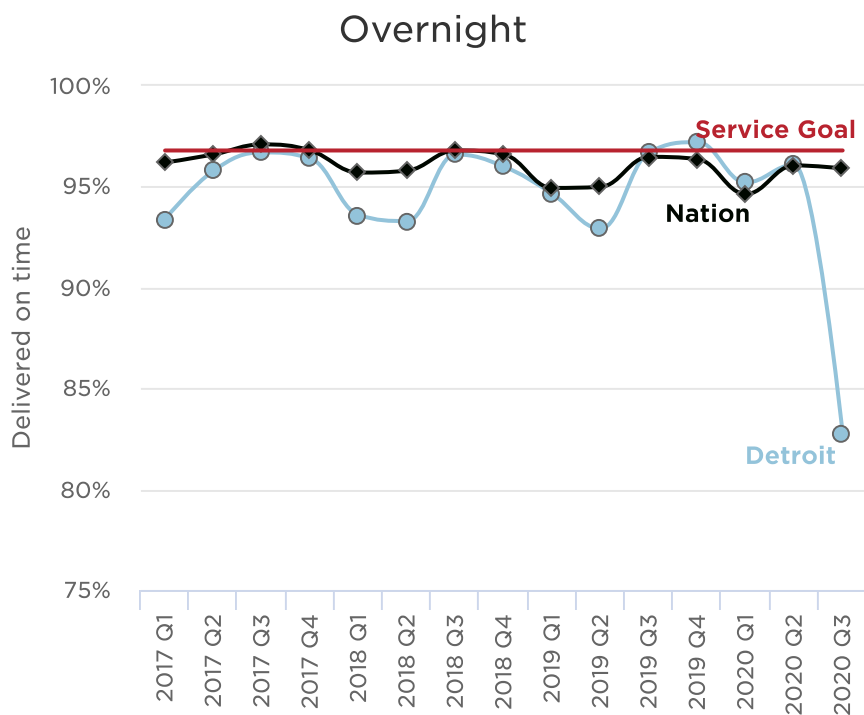
APM Reports analyzed performance data made public Monday night by the U.S. Postal Service.

Compared to the same period one year ago and to the first three months of 2020, on-time mail delivery nationally is suffering as a result of the coronavirus pandemic, presenting a worrisome picture of how mail service could be hindered as a rapidly rising number of people choose to steer clear of COVID-19 and vote-by-mail in November.

“When I have people telling me that they're going days without getting mail, that makes me nervous,” said Tina Barton, city clerk for Rochester Hills, Michigan. Her anecdotal evidence is confirmed by the data from Detroit’s postal district in the last quarter, which reported the second worst on-time scores in the nation. The on-time delivery of Michigan’s other postal district, which represents the western and northern parts of the state, was also near the bottom in the last quarter.

Mail delivery in eastern Michigan suffered during the pandemic

The Detroit postal district had performance scores near the bottom of all districts for the most recent quarter. The district has posted scores that met targets in only five quarters since the start of the 2017 fiscal year.



NOTE: The postal service measures performance by comparing the measured time it takes to deliver a piece of mail with a [service standard](#) that's based on where a letter is mailed and its destination. These charts show on-time percentage scores for the overnight and two-day delivery standards of Presort First-Class Mail. The fiscal year 2020 service goals are 96.8% for mail assigned an overnight delivery standard and 96.5% for mail assigned a two-day standard. The postal service changed its data collection practices in fiscal year 2019. As a result, care should be taken when comparing quarterly scores from fiscal year 2019 onward with previous quarters. SOURCE: [Quarterly Service Performance Reports](#), U.S. Postal Regulatory Commission

There's also worry — mostly among Democrats — that on-time delivery could become even worse if U.S. Postmaster General Louis DeJoy's recent management changes continue. After only three months on the job, he has ended overtime and insisted that trucks leave on time even if mail isn't fully loaded. The concern is shared by people who study the post office, the head of a union representing 200,000 current and retired postal workers, and voting experts.

"There's always been a sense that the postal system will be there in a nonpartisan way to deliver the mail," said Edward B. Foley, election law director at the Moritz College of Law at The Ohio State University. "This is the first time in my experience of studying elections that there's a genuine fear that the postal system will be manipulated in a subversive way."

A spokeswoman for the United States Postal Service declined an interview request but issued a statement saying, "The United States Postal Service is committed to fulfilling our role in the electoral process when public policy makers choose to utilize us as a part of their election system." She also pointed APM Reports to recent remarks by DeJoy where he said delivery standards that have been in place for many years have not changed.

The APM Reports analysis also reinforces anecdotal claims that mail delivery has slowed in some cities. Over the past decade, the consolidation of postal service processing centers now means mail can sometimes travel hours for processing and sorting even if the destination is blocks away from where it was mailed.

Concerns over mail delivery are coming alarmingly true in Wisconsin, where election officials continue to have problems with ballots not being delivered to voters. Nearly 700 voters in the cities of Milwaukee and Wauwatosa did not receive ballots they requested in late June for Tuesday's primary.

The previously unreported missing deliveries follow April's breakdown when thousands of ballots weren't delivered during the state's primary.

Wisconsin voters, like those in much of the country, continue to request absentee ballots in record numbers through the mail or in person: 894,786 absentee ballots were issued for the August primary — a nearly 800 percent increase over the number of ballots issued in 2016.

The U.S. Postal Service says voters should mail their ballots at least a week before Election Day to ensure on-time delivery, and to request their ballots at least a week before that.

But that advice is meaningless if voters can still request mail-in ballots — also known as absentee ballots — within a week of Election Day. Twenty-four states have laws that allow voters to request an absentee ballot during that time, a potential problem for voters who may think they have time to get the ballot in the mail and send it back.



A United States Postal Service carrier in Philadelphia makes a delivery with gloves and a mask.
Matt Rourke | AP

Another batch of missing ballots in Wisconsin

Every three months, the U.S. Postal Service releases data that shows on-time delivery for different classes of mail.

Nationally, the volume of first-class mail delivery has declined by more than 1.6 billion pieces from the previous quarter because of the pandemic, postal officials say. Still, more than 8.3 billion pieces of first-class mail were processed between April 1 and June 30. Of those letters — 7.5 billion — met service performance standards, meaning 800 million were late.

Because the postal service does not publish performance data for election mail, APM Reports analyzed the on-time percentage scores for first-class mail, the type of mail recommended by the postal service for mailed ballots. Reporters then compared the scores with the postal service's targets, which are based on the source and destination of mail. APM Reports focused on the overnight and two-day delivery standards, which are likely to be applied to mail sent and received locally.

On-time mail delivery mattered during Wisconsin's April primary. In addition to the failed delivery of thousands of ballots to voters, 81,000 ballots were delivered after the primary, according to the Wisconsin Election Commission. Of those, 79,054 ballots were only accepted because of a court ruling.

And while the pandemic may have recently slowed mail delivery across the country, the postal district representing eastern and southern Wisconsin has rarely met targets for on-time mail delivery and has often had scores below the national level since late 2016.

The recent quarterly performance data, captured during the height of Gov. Tony Evers shutdown order, confirms what thousands of Wisconsin voters learned since the April primary: The postal service does not always meet its own benchmarks. Despite pledges to fix the problems that occurred in April, some ballots are still not being delivered.



Wauwatosa, Wisconsin, resident Aliza Werner was among more than 400 voters in that Milwaukee suburb who did not receive requested absentee ballots for Tuesday's statewide partisan primary. Wauwatosa officials sent the ballots again after being alerted to the problem. Werner says she dropped her ballot off at Wauwatosa City Hall to make sure it was received. She worries postal mix-ups could jeopardize the results of the November election. Submitted photo

Aliza Werner and her husband, Nick, are regular voters but very cautious about going out in public during the pandemic. The couple from Wauwatosa, Wisconsin requested absentee ballots June 25 — six weeks before the election — for Tuesday's partisan primary.

Werner says she kept checking the website operated by the Wisconsin Elections Commission for the status of their ballots. In June, clerks were able to print barcodes on outgoing ballot mailings that would allow the ballot to be tracked as it traveled through the mail.

“At one point where it said it was in process or was submitted, it was approved, they were preparing it — and

it never went beyond that,” Werner recalled.

When ballots didn’t arrive after a month, Werner called the Wauwatosa City Clerk’s Office and was told their ballots had been in a batch that never made it to voters’ homes.

“(The clerk) said that our ballots have been sent out so on their end, they had fulfilled the request,” Werner said. “The only thing that they could think of was that something happened within the postal service, that they were not mailed to us.”

The couple ordered new ballots, which arrived after a few days. Werner says she dropped them off at Wauwatosa City Hall to make sure they arrived.

Werner has been voting absentee on and off for years. But she’s now worried about how well Wisconsin will manage the November election. “I know that there are going to be a whole lot more people that are going to be requesting absentee ballots for the elections in November,” she said.

In Wauwatosa, less than 10 miles west of downtown Milwaukee, a spokeswoman confirmed that 421 ballots mailed in late June to residents there were never delivered. Elections officials aren’t sure if the postal service or the city’s mail vendor is at fault. A mail vendor places postage and tracking information on the envelopes for the city. The city clerk canceled the initial ballots and mailed another batch of ballots to the affected voters.

Approximately 270 ballots mailed by the city of Milwaukee on June 29 also went missing. They were accounted for when they were handed over to the vendor, said Claire Woodall-Vogg, director of the Milwaukee Election Commission. She said they investigated but couldn’t determine the breakdown.

Woodall-Vogg says the affected ballots were canceled and new ballots were sent to voters. In November, the city will hand deliver the ballots to the postal service to ensure there are no problems with a third-party vendor, she said.



Fox Point, Wisconsin, Village Manager Scott Botcher sent out this tweet on Election Day, April 7, 2020, after he went to the local post office repeatedly to mail absentee ballots that were returned to the village. The U.S. Postal Service's Inspector General found multiple human and technological factors caused delay and misdelivery of about 160 absentee ballots from the village.

The missing ballots in Wauwatosa and Milwaukee come just months after the postal service was criticized for how it handled mail-in ballots during the April primary.

On the day of the primary after the polls closed, the postal service discovered three tubs of ballots at the city's processing center that were mailed to voters roughly 100 miles outside Milwaukee. Postal service employees also failed to deliver ballots to voters in another Milwaukee suburb and repeatedly returned the mailings without explanation.

The postal service says it is meeting regularly with elections officials to discuss election mail and ballot design and will take steps to ensure better monitoring of election mail. In addition to the barcodes now added to many outgoing Wisconsin ballots, the state also plans to issue absentee ballot applications to every registered voter to help take the workload off local elections officials and encourage voters to request a ballot sooner.

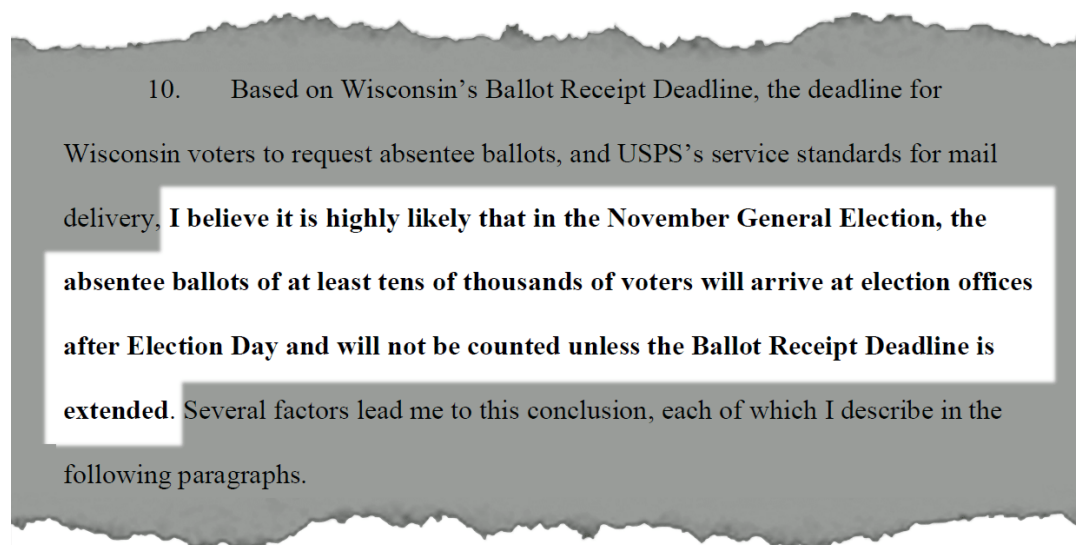
Wisconsin's elections are managed by 1,850 municipal election officials and 72 county election officials. It's considered the most decentralized state for election administration.

Some of those election managers are worried that the problems with mail delivery in the primaries will continue in November. "I've been assured by our district manager that they will be doing everything they can to make sure all the mail gets delivered timely," said Barb Goeckner, an official with the village of Cambridge.

But Goeckner, who chairs a U.S. Elections Assistance Commission subcommittee that discusses election-related postal service issues, said she's also wary of the recent operational changes enacted by DeJoy that could lead to slower mail delivery.

"Eventually, there's going to be hiccups along the way. And I have to say that that is a very big concern across the nation for postal mail, and election mail," she said.

Stroman, in his court filing, warned that Wisconsin's problems with mailed ballots will continue unless the ballot deadline is changed. "My experience with voting by mail and my extensive work with elections officials leads me to conclude that Wisconsin's Spring Election is a predictor of what may occur in Wisconsin's November General Election, absent necessary changes," he wrote.



An excerpt from the declaration of Ronald Stroman. [Full document](#)

Postal service changes could result in mail slowdown

Earlier this month, more than 1.6 million Michigan voters set an Election Day record in the state by returning absentee ballots through the mail, an election drop box or at a clerk's office for the August 4 primary.

Elections officials predict the record to be broken again in November if worries over the spread of the coronavirus don't subside. And the avalanche of votes not cast in person has some election officials worrying about delivery problems.

In Lansing, Michigan, mail is processed 65 miles away in Grand Rapids, said Chris Swope, the city clerk. While the consolidation saves money, it can be a problem for voters who wait until the last minute to put their ballot in the mail. "It used to be in Lansing, if you mailed it today, the person in Lansing would get it tomorrow and that's generally not true anymore," Swope said.

DeJoy, who was appointed by the USPS Board of Governors in May, says that the post office should not be blamed if state laws allow voters to request and return an absentee ballot that falls outside of the postal service's guidelines. He also pledged that the postal service could meet the expected demand.

"Although there will likely be an unprecedented increase in election mail volume due to the pandemic, the postal service has ample capacity to deliver all election mail securely and on time in accordance with our delivery standards, and we will do so," he said.

But his push to overhaul the postal service is what troubles Democrats and voting rights groups. Before he

was appointed, DeJoy was a major donor to President Trump and the Republican National Committee. The president has repeatedly criticized the postal service and has pushed for higher package fees for Amazon and other shippers. He also repeatedly criticizes by-mail voting.

Critics worry that DeJoy's attempts to curtail postal service spending is an underhanded attempt to slow down mail delivery during the presidential election. They say it could affect last-minute voters who decide to request an absentee ballot.

"It's more likely now that we will be impacted by these delays under this new directive than in the past when we were already concerned with delivery standards," said Tammy Patrick, an elections mail expert and senior adviser to the Democracy Fund.

Patrick says she's encouraging election managers to set up drop boxes to ensure voters have other options. But they may not be everywhere. For example, President Trump's campaign is suing to prevent the use of drop boxes in Pennsylvania.

Officials with the unions representing postal service employees say DeJoy's efforts to curtail overtime will slow down the delivery of by-mail ballots. "It's not going to undermine the integrity of the ballot, the safety of the ballot or the privacy of the ballot," said Mark Dimonstein, president of the American Postal Workers Union. "But it's certainly going to make it more challenging for the states who run elections."

Some voting rights groups aren't taking any chances. A voting rights advocate in North Carolina says she's worried about her state's lack of experience with by-mail voting along with worries over delays in mail delivery. She's telling voters to avoid by-mail voting and is pushing early voting at non-peak times to ensure social distancing.

"Things get lost in the mail," said Allison Riggs, interim executive director and chief counsel of voting rights at the North Carolina-based Southern Coalition for Social Justice. "And we're suddenly talking about potentially hundreds of thousands of new things to be in the mail."

[Tom Scheck](#)

Exh. A-23

Exh. A-23	
Title	Frankel, Todd. "Postal problems could continue despite suspension of policies blamed for mail delays." <i>Washington Post</i> , 18 Aug. 2020.
URL	https://www.washingtonpost.com/business/2020/08/19/postal-problems-could-continue-despite-suspension-policies-blamed-mail-delays/
<p>"The political heat of the summer of 2020 — filled with worries about mail-in voting — has thrown the Postal Service into crisis. The agency's reputation, the best of any federal agency, is now at stake as Americans more loudly voice their frustration about delayed prescriptions, late bills and undelivered packages, along with fears of alleged political interference by a new Republican postmaster general and President Trump, compromising not just everyday mail but also mail-in ballots this fall."</p>	

The Washington Post

Postal problems could continue despite suspension of policies blamed for mail delays

Slow mail and political warfare — and the pandemic — have thrown the agency into crisis.

[Todd C. Frankel](#)

August 19, 2020 at 7:12 p.m. EDT

Add to list

Dennis Beach began noticing the delays in July. That's when the mail-order prescriptions needed to treat his high blood pressure and help him sleep at night started arriving late from a Department of Veterans Affairs pharmacy. A five-day delay. Even two weeks, he says. It has been nerve-racking at times waiting for the mail carrier to arrive.

"Usually I order it online, and I don't have any trouble," said Beach, a Navy veteran who lives in Gaylord, Mich. "But the way the mail is these days, you don't know when you're going to get your stuff."

The political heat of the summer of 2020 — filled with worries about mail-in voting — has thrown the Postal Service into crisis. The agency's reputation, the best of any federal agency, is now at stake as Americans more loudly voice their frustration about delayed prescriptions, late bills and undelivered packages, along with fears of alleged political interference by a new Republican postmaster general and President Trump, compromising not just everyday mail but also mail-in ballots this fall.

Reports of postal problems surged in recent weeks and appeared to run from rural routes in the nation's heartland to cities up and down both coasts. Antidepressants suddenly held up in the mail for nine days on Long Island. A roof warranty claim in California that did not reach its destination in time. Complaints have poured in to politicians. The office of Sen. Robert P. Casey Jr. (D-Pa.) office said this week that it has received more than 15,000 letters about mail delivery concerns.

"We're getting horrible reports out there," said Mark Dimondstein, president of the American Postal Workers Union. "It's very discouraging."

The question now is whether the problems will abate after Louis DeJoy, the new postmaster general, suspended on Tuesday actions the Postal Service was undertaking, including removing mail sorting machines and limiting overtime, that had been blamed for exacerbating delays.

<https://www.washingtonpost.com/business/2020/08/19/postal-problems-could-continue-despite-suspension-policies-blamed-mail-delays/>

But it's not clear how much of a difference the moves will make.

According to private data, this summer's mail woes appear to be only slightly worse than they were last year — and the delivery may be more related to the coronavirus pandemic. From July 1 through Aug. 15 — the period when DeJoy's new policies were going into effect — 31 percent of mail was late, compared with the 26.5 percent from January to June, according to GrayHair Software, a leading provider of mail tracking data.

And this year, 27 percent of tracked mail was considered late, compared with 23 percent over the same period in 2019. But delivery woes were worse in the first part of 2020 — just as the pandemic hit — than during the summer, when compared with the same periods last year.

GrayHair Software is one of the companies that tracks the speed of U.S. mail using “intelligent mail” bar codes on many letters and packages, providing detailed data on the movement from drop-off to delivery for the majority of mail traffic, including bank statements, nonprofit solicitations and retail catalogues.

The average delay for late mail is one to two days, the company said.

Bar code tracking is considered by many mail-dependent businesses to be more sensitive and up to date than the Postal Service's own on-time performance data, which in its most recent release showed a long-running decline in on-time mail through June 30.

“There doesn't appear to be a systemic problem,” said Angelo Anagnostopoulos, vice president of postal affairs for GrayHair Software.

The problem may appear to be significantly worsening because people are suddenly paying close attention to it, he said.

“We can say with surety we have not seen a systemic degradation in service,” added an official with another mail tracking firm, Intelisent, who spoke on the condition of anonymity to discuss internal data.

Other key trade groups, prescription delivery companies and organizations that depend on timely delivery of the mail also say that they have not noticed a major deterioration in mail service.

The mail-tracking data underscores the fragility of the nation's trust in the Postal Service, and how even scattered reports of postal problems can shape public perceptions. Even if most mail-in ballots this fall are delivered without a hitch, the slightest problem, in a swing state, could throw the nation into a crisis.

Such concerns intensified after DeJoy, a top Trump ally, became postmaster general earlier this year. DeJoy this summer took actions described as getting the agency on firmer financial footing, including limiting overtime, post office hours, extra delivery trips and other steps the service had traditionally taken to ensure timely delivery.

Trump has acknowledged that he is seeking to limit the Postal Service's ability to deliver ballots this fall.

<https://www.washingtonpost.com/business/2020/08/19/postal-problems-could-continue-despite-suspension-policies-blamed-mail-delays/>

Facing public outcry, congressional scrutiny and lawsuits by states, the Postal Service announced Tuesday that it is suspending cost-cutting moves until at least after the November election.

Anagnostopoulos said it appears DeJoy's new policies have contributed to some new delays, but most of the problem appeared to be driven by "edge cases" — places hit hard by the coronavirus, such as a mail-processing site in Louisiana that at one point earlier this year lost most of its workforce for a brief period.

The Postal Service faced other pandemic-related problems. The agency warned in April that covid-19 would cause priority mail's two- to three-day service commitment to be extended to up to four days. In May, an outbreak temporarily closed a mail facility in Denver that services Colorado and Wyoming. More than 25,000 postal workers had been quarantined by early June, according to the National Association of Letter Carriers.

Anagnostopoulos said he understood the attention on the problem. A late prescription or missing letter can have big consequences.

"But when you look at it aggregate," he said, "it's not that bad."

Still, reports from ordinary Americans and postal worker representatives — flooding social media and appearing on front pages of newspapers nationwide — have stoked concern.

Ken Carroll, who lives outside Boston, said mail-order prescriptions that once arrived in two days suddenly took 10.

The Costco pharmacy prescription that normally took two or three days via the Postal Service to reach Max White, who lives near Frederick, Md., recently required eight.

"It's not Christmas. So I don't know what's going on," White said. "But it undermines confidence in the mail."

Costco declined to comment.

In Albuquerque, Laura Wofford said she is still waiting for packages that should have arrived several days ago.

In Norman, Okla., accountant Stephanie Smart said her usually reliable mail service took a sudden turn for the worse in July. Paperwork from tax clients mailed to her never showed up, forcing her to file for extensions. She never received four bank statements and one monthly bill. And her mailbox has been empty on at least three days — something that seemed unusual considering the flood of mail she usually receives.

"Everything was working great until July," Smart said.

Postal workers, too, have noticed new problems.

Lori Cash, who works at a post office outside Buffalo, said mail has been piling up, causing delays for rural communities.

"We're seeing some Zip codes that haven't received mail in a couple days," she said.

<https://www.washingtonpost.com/business/2020/08/19/postal-problems-could-continue-despite-suspension-policies-blamed-mail-delays/>

In Tampa, postal clerk Annette Castro said mail is not being delivered as quickly as it used to be. She attributed the problems to DeJoy's order that mail delivery trucks depart on time rather than waiting for all of that day's mail to be loaded.

"Mail is being left on the dock," Castro said. "We are short people, because they're not hiring. I do see mail starting to get backed up."

Supporters of DeJoy's changes said the new rules are necessary for an agency that has been under financial pressure from declining volume and rising competition. U.S. mail volume peaked in 2006 at more than 200 billion pieces. It is now down to fewer than 150 billion pieces a year. At the same time, the Postal Service delivers to more addresses than ever.

But the extent of the current delivery problems — where blames lies — is difficult to ascertain.

Some mail-order prescription companies said their operations have not been severely affected.

CVS Pharmacy said in a statement that it "has not been affected by service delays" for its local mail-order prescription deliveries. Express Scripts, the nation's largest mail-order pharmacy, also is "not currently experiencing any unusual delays in deliveries," according to a company statement.

But many heavy users of the Postal Service said they have not experienced problems.

"We're not seeing anything out of the ordinary at this point," said Steve Kearney, president of the Alliance for Nonprofit Mailers, whose group represents clients such as the American Lung Association and the Southern Poverty Law Center.

Timely delivery of their fundraising requests and updates is critical. Kearney keeps close tabs on the post office's performance and the actions of the postmaster general.

"If there was something political or nefarious, we'd be upset about it," Kearney said.

The Postal Service's performance is important to groups such as Our Sunday Visitor, a Catholic publishing company in Huntington, Ind. The company mails 2 million to 3 million sets of church offering envelopes each month to addresses nationwide, among other products.

Its most recent shipping cycle ran from late July through early August, said Trista Niswander, the publisher's postal manager. Ninety-four percent of its shipments of offering envelopes were delivered within seven days, she said, "which is right on target, exactly what we would expect."

"I have seen absolutely nothing out of the ordinary," Niswander added.

Some financial companies have noted letters now take an extra day or two to reach customer's homes, said Michael Plunkett, president of the Association for Postal Commerce, which represents companies and groups that account for the majority of commercial mail.

He attributed the delays to DeJoy's new rules and pandemic-related problems.

<https://www.washingtonpost.com/business/2020/08/19/postal-problems-could-continue-despite-suspension-policies-blamed-mail-delays/>

It's clear that some delivery delays are occurring, said Hamilton Davison, president of the American Catalog Mailers Association. And those problems have taken on an ominous tone "given all the media reports [about slow mail] and the craziness from the White House about deliberately delaying funding."

But he attributes the problems to coronavirus hot spots and struggles to adjust to the new Postal Service mandates.

"It's really hard to draw a bead on what's happening," Davison said, "but there's no widespread failure."

Hannah Denham contributed to this report.

Exh. A-24

Exh. A-24	
Title	Kaufman, Ellie. "Postal service warns nearly every state it may not be able to deliver ballots in time based on current election rules." <i>CNN</i> , 15 Aug. 2020.
URL	https://www.cnn.com/2020/08/14/politics/usps-warn-states-mail-in-ballot-delivery/index.html
<p>"The US Postal Service warned almost all of the 50 states and Washington, DC, that voters could be at risk of not getting their ballots back to election offices in time to be counted because election rules are not compatible with the time needed for delivery and return of absentee ballots through the mail, according to letters released on Friday night. The letters provide a stark reminder that the expansion of mail-in voting due to the pandemic is colliding with a slowdown in postal delivery because of controversial changes made by the new postmaster general."</p>	

Postal service warns nearly every state it may not be able to deliver ballots in time based on current election rules



By [Ellie Kaufman](#), CNN

Updated 9:56 AM ET, Sat August 15, 2020

(CNN) — The US Postal Service warned almost all of the 50 states and Washington, DC, that voters could be at risk of not [getting their ballots back to election offices](#) in time to be counted because election rules are [not compatible with the time](#) needed for delivery and return of absentee ballots through the mail, [according to letters](#) released [on Friday night](#).

The letters provide a stark reminder that the expansion of mail-in voting due to the pandemic is colliding with a slowdown in postal delivery because of controversial changes made by the new postmaster general.

Most states were informed in late July by the service's general counsel that postal service analysis suggests local deadlines for requesting and returning ballots did not allow for enough time based on delivery estimates.

The letters varied based on state rules, with a few states deemed to having sufficient time built in, according to the postal service assessment. Only Nevada, New Mexico, Oregon and Rhode Island were informed by USPS that they shouldn't expect problems, according to the letters.

But in total, the letters portray a last-minute warning some votes could be at risk, leaving some states scrambling to consider whether they have the ability to even adjust rules in time for the election.

[The letters predate](#) President Donald Trump's [most recent attacks on mail-in voting](#), including on Thursday when he said he opposed giving billions in funding to the postal service because doing so would allow increased mail-in voting. The changes are a result of previously planned cost-cutting measures, put in place partly as a reaction to the President's extensive criticism of the US Postal Service as a money loser that does not charge enough for its services, combined with the coronavirus pandemic. [Union officials have been warning](#) that newly implemented measures would affect mail-in voting in November.

The [popularity of voting by mail has exploded during](#) the pandemic and it's expected that Democratic voters plan to take advantage of expanded mail-in voting access more than Republicans.

News of the letters comes a little less than two weeks after the US Postal Service [definitively said in a statement](#) that it had the capacity to handle the added volume of mail-in voting anticipated in November.

READ: [Letter from US Postal Service warns North Carolina it may not be able to deliver ballots on time](#)

"Certain deadlines concerning mail-in ballots, particularly with respect to new residents who register to vote shortly before Election Day, appear to be incongruous with the Postal Service's delivery standards," USPS General Counsel Thomas Marshall wrote to California Secretary of State Alex Padilla. "This mismatch creates a significant risk that some ballots will not be returned by mail in time to be counted under your laws as we understand them."

The letters list standard mail delivery times and prices for first class and marketing mail, the two types of mail USPS sends. Many states use the nonprofit marketing mail rate to send election mail, including absentee and mail-in ballots and ballot applications to voters.

The letters state that election mail must be sent from voters by first class mail, which is more expensive than the nonprofit marketing rate.

"State or local election officials may generally use either First-Class Mail or Marketing Mail to mail blank ballots to voters," the letters state.

First class mail takes between two and five days to be received, while marketing mail takes between three and 10 days to be received, according to USPS. That, according to Pennsylvania's secretary of commonwealth, is a longer a delivery time than what was factored in for the primaries in June, according to a filing in a related court case.

The slower delivery is, according to the court filing, a likely outcome of recent changes put in place by the post office that have been criticized for putting at risk the ability to conduct vote by mail across the country. As a result, Pennsylvania said it is willing to extend its deadline to receive ballots to up to three days after the election, provided they are mailed by Election Day.

USPS said the letters were intended to advise "election officials to be mindful of the potential inconsistencies between the Postal Service's delivery standards, which have been in place for a number of years and have not changed, and the provisions of state law," in a statement.

"During every election cycle, the Postal Service conducts regular outreach with state and local election officials regarding our mailing requirements, delivery standards and best practices for enabling voting by mail," a USPS spokesperson said in a statement. "The Postal Service is well prepared and has ample capacity to deliver America's election mail. However, the increases in volume and the effect of when volumes were mailed in the primary elections presented a need to ensure the Postal Service's recommendations were reemphasized to elections officials."

Secretaries of state implementing changes already

Both Michigan and Ohio's secretaries of state offices said the letters reflect changes the states were already implementing to ensure that mail-in and absentee ballots would be mailed and received in time to be counted in the election.

Jon Keeling, spokesman for the Ohio Secretary of State, said the letter "reinforces reforms we've been working on since the primaries," which include the design of the mail-in ballots so they stand out among other pieces of mail.

Michigan Secretary of State spokeswoman Tracy Wimmer said the letter "reiterates the importance of a number of things we are already doing," like "working with USPS officials in Michigan to ensure that election mailings are prioritized in their system."

Washington Secretary of State Kim Wyman was the first secretary to publicize that she had received the USPS letter.

Wyman was initially concerned when she received the letter, because Washington has historically sent mail-in ballots to every registered voter by first class mail at a nonprofit bulk mail price. She was concerned the letter indicated that if they sent their election mail at the nonprofit rate, they would have longer delivery times.

"I was certainly concerned that this was maybe some sort of messaging to let us know that if we did our mailing at a nonprofit low rate that we would have very long delivery times," Wyman told CNN in a phone interview. "They chose their words carefully ... they basically said, yeah, the mail delivery times would be what we're used to."

If Wyman had to change from paying the nonprofit bulk rate to paying the first class rate, it would have cost her \$2.64 million to send 4.8 million ballots, as opposed to the \$432,000 it will cost her to send the ballots at nine cents apiece via the nonprofit bulk rate.

As a state that has sent ballots to every registered voter before, Wyman and her office have a close relationship with their USPS counterparts. Wyman said she worries for states that are new to mail-in voting options who don't have as strong relationships already established with the post office.

Wyman said she had a call "every day with the postal service" leading up to Washington's primary. "It's kind of just our relationship that we have with the postal service," she said.

Top Democrats press for answers

News of the letters also comes as top congressional Democrats, including House Speaker Nancy Pelosi and Senate Minority Leader Chuck Schumer, are pushing Postmaster General Louis DeJoy to answer what they call "grave questions about sweeping changes" he is instituting at hundreds of postal facilities.

In a 10-page letter sent Friday to DeJoy, the Democrats charge these changes are slowing the mail delivery and "therefore jeopardize the integrity of the election."

"Rather than strongly advocating for the Postal Service's request for emergency funding, it appears that you are now using funding shortfalls—which are being aggravated by the President himself—to justify sweeping operational changes that experts warn could degrade delivery standards, slow the mail, jeopardize crucial deliveries such as prescription medicines and essential goods, and potentially impair the rights of eligible Americans to cast their votes through the mail in the upcoming November elections," the Democrats wrote.

The Postal Service has asked for \$25 billion to help with budget shortfalls. That money is part of the negotiations between the White House and Democrats over a new Covid-19 stimulus bill.

Democrats also released two letters from Marshall, the USPS general counsel, to congressional leaders.

"We are currently unable to balance our costs with available funding sources to fulfill both our universal service mission and other legal obligations," Marshall said in one of the letters. It outlined a number of operational changes the postal service is looking to implement.

In the second letter, Marshall said, "The Postal Service remains fully committed to fulfilling our role in the electoral process by doing everything we can to handle and deliver Election Mail, including ballots, in a timely manner consistent with our operational standards."

The Democrats are asking for more details and documents about specific changes being proposed, the reason and the potential impact and asked for responses within a week.

According to the Democrats, DeJoy wrote a separate letter Friday to Pelosi and Schumer saying: "I also recognize that there have been unintended consequences related to these efforts that have impacted overall service levels."

He added in that letter: "the Postal Service is working feverishly to address service problems."

Exh. A-25

Exh. A-25	
Title	U.S. Senate Democrats. "Reports Of Americans Facing Unacceptable Mail Delays Continue To Pile Up Amid President Trump And Postmaster General DeJoy's Efforts To Undermine The Post Office." <i>democrats.senate.gov</i> , 20 Aug. 2020.
URL	https://www.democrats.senate.gov/newsroom/press-releases/reports-of-americans-facing-unacceptable-mail-delays-continue-to-pile-up-amid-president-trump-and-postmaster-general-dejoys-efforts-to-undermine-the-post-office
<p>"Since launching my investigation, I've heard from over 7,500 people across the country about how postal delays are harming them," said U.S. Senator Gary Peters. "There are too many questions that remain unanswered, including whether Postmaster General DeJoy and the Postal Service will be returning sorting machines he already removed from facilities across the country, the details of any changes he is leaving in place and any future changes he plans to enact that could continue to harm millions of Americans. Postmaster General DeJoy has repeatedly refused to clearly answer key questions and I'm going to be pressing for answers."</p>	



CLICK HERE TO LEARN MORE FROM THE CDC ABOUT THE CORONAVIRUS DISEASE 2019 (COVID-19) AND BEST PRACTICES TO KEEP YOU AND YOUR FAMILY SAFE. PLEASE REACH OUT TO YOUR HEALTH CARE PROVIDER WITH SPECIFIC CONCERNS AND/OR 911 IN THE CASE OF AN EMERGENCY.

Reports Of Americans Facing Unacceptable Mail Delays Continue To Pile Up Amid President Trump And Postmaster General DeJoy's Efforts To Undermine The Post Office

August 20, 2020

Houston Chronicle (TX): From Businesses To Brides, Mail Delays Already Impacting Houston

San Francisco Chronicle (CA): Late Pension Checks And Delayed Medications: Bay Area Residents Decry Postal Service Problems

WAOW (WI): Slow Service At USPS Could Impact Local Businesses

CBS 4 Denver (CO): Coloradans Who Depend On Mail For Medication Concerned Over Postal Changes

Atlanta Journal-Constitution (GA): Mail Delays Threaten Georgia Absentee Ballots Delivered Too Late

Washington, D.C. – Following reports the U.S. Postal Service operational changes are leading to delays in mail delivery, Senate Democratic Leader Chuck Schumer (D-NY) and Ranking Member of the Senate Homeland Security and Governmental Affairs Committee Gary Peters (D-MI) are asking for individuals, small businesses and organizations who are directly affected by Postal Service delays or operational changes to share their stories. Members of the public can report problems by visiting www.peters.senate.gov/postal.

"Postmaster General DeJoy's reckless policy changes have decimated public trust and contributed to inexcusable delays in mail delivery, putting every American at risk," **said Leader Schumer**. "I've heard disturbing reports of long waits for the delivery of life-saving medicines, critical supplies, and paychecks, and recently, the president made plain his desire to interfere with vote-by-mail. I'm calling on Postmaster General DeJoy to clarify exactly what the USPS' pause in operational changes will mean for the American people. My colleagues and I remain committed to oversight of the Postal Service and to ensuring that Americans regain the timely, dependable service they rely on."

"Since launching my investigation, I've heard from over 7,500 people across the country about how postal delays are harming them," **said Senator Peters**. "There are too many questions that remain unanswered, including whether Postmaster General DeJoy and the Postal Service will be returning sorting machines he already removed from facilities across the country, the details of any changes he is leaving in place and any future changes he plans to enact that could continue to harm millions of Americans. Postmaster General DeJoy has repeatedly refused to clearly answer key questions and I'm going to be pressing for answers."

Across the country, Americans are already facing serious delays.

ALABAMA

WTVY: What's behind the mail delays? "Over the last month, Birmingham postal workers have had a hard time keeping up with demand. 'We had like 4 or 5 machines taken out,' said Samuel... He said he was told the sorting machine was taken away because mail volume is low due to the pandemic, but he said that's not the case." [WTVY, 8/19/20]

CALIFORNIA

Los Angeles Times: 'Like Armageddon': Rotting food, dead animals and chaos at postal facilities amid cutbacks. "And inside a massive mail-sorting facility in South Los Angeles, workers fell so far behind processing packages that by early August, gnats and rodents were swarming around containers of rotted fruit and meat, and baby chicks were dead inside their boxes." [Los Angeles Times, 8/20/20]

San Francisco Chronicle: Late pension checks and delayed medications: Bay Area residents decry postal service problems. "'I have definitely seen a slowdown,' said Leo McArdle, a Burlingame resident who was a U.S. Army sergeant from 1962 to 1970. He depends on the mail for key documents and medications from the Department of Veterans Affairs." [San Francisco Chronicle, [8/18/20](#)]

ABC10: Sacramentans worried about mail-in voting as USPS slows nationwide. "Karryl Keithly told ABC10 she plans to mail in her ballot for the presidential election. But she said she has been getting her mail later than usual, which has her worried about the cutbacks happening with the US Postal Service." [ABC10, [8/18/20](#)]

NBC KCRA 3: People wait weeks, months for packages to be delivered. "'Being in a rural area like Jackson we don't have a lot of shopping,' Welch said. 'So, I depend on my online orders.' Marcotte said her first box only showed up after she told USPS she had called KCRA 3. She had a second box of hand sanitizer and it was delayed, too. She ordered it on July 20, and it showed up Aug. 8 via U.S. Mail." [NBC KCRA 3, [8/16/20](#)]

VIDEO: ABC10: Citrus Heights residents experiencing slow mail. [ABC10, [8/13/20](#)]

NBC Palm Springs: USPS shipping delays impact local small businesses. "'Things are not right from a shipping perspective, and it's really, really critical to our business while we can't have as many clients in the store to be able to ship on time,' said Laurie Molton, founder of House of Lolo, located on El Paseo." [NBC Palm Springs, [8/11/20](#)]

KRON: Mail delay blamed for uptick in turkey chick deaths. "Bay Area farmers say the slowdown is costing them their livestock as well. The US Postal Service is the only real option when it comes to transporting livestock and the owner of a small Sonoma County farm, says the slowdown of shipments is quite literally killing her turkey business." 'It took the turkey chicks so long to get here, they were half dead when I got them out of the box,' Anna Erickson, owner of Hands Full Farm in Valley Ford, said." [KRON, [8/9/20](#)]

Salinas Californian: Late deliveries, missing mail: Hundreds of Salinas residents want answers from USPS. "Commenters reported missing or late mail, seeing their mail carrier delivering mail as late as 10:30 p.m. and receiving digital delivery notifications up to a day before their packages actually arrived at their homes or businesses." [Salinas Californian, 7/22/20]

COLORADO

CBS 4 Denver: Coloradans Who Depend On Mail For Medication Concerned Over Postal Changes. "Changes at the post office have many Coloradans who depend on the mail for their medication worried. 'My insurance makes me get medication by mail,' Jackie Anderson said... 'I am concerned because I can't go that many days without my medication,' she shared." [CBS 4 Denver, 8/19/20]

DISTRICT OF COLUMBIA

FOX 5 DC: Mail delays aren't political, but personal for DC residents left waiting. "'A lot of people get their medicine, depending on it to be mailed,' said Bernadine Thomas. 'Can you imagine if you're waiting for something for your diabetes and it's not showing up?' The women said mail was delivered at 10:30 p.m. Thursday then nothing until Monday afternoon. Others in Ward 8 have waited up to two weeks between mail deliveries." [FOX 5 DC, 8/17/20]

Washington Post: Amid national Postal Service crisis, D.C. area residents struggle without consistent mail. "For John Wunder in Southeast D.C., the problem looks like 70 pounds of dog food. Wunder ordered 30 pounds of food for his beagle-boxer rescue Gus online, then waited for days. He checked the Postal Service's tracking website, which told him his package had already been delivered, although it hadn't. The old bag ran out. Gus needed lunch." [Washington Post, 8/15/20]

WUSA: Southeast DC residents go weeks without mail being delivered. "An older gentleman said he also hadn't received his mail in two weeks and needed his medication that was supposed to be delivered by USPS. He said no one inside the post office could find it and they told him to check his mailbox once again." [WUSA, 8/13/20]

FLORIDA

Bay News 9: Disabled Vet says Mail Delays are Messing with his Prescriptions. "Ted Beaumier is one of them. He's a disabled veteran – and a former USPS maintenance manager – living in the Tampa Bay area. Beaumier tells Spectrum News a prescription delivery that was scheduled to arrive on a certain day didn't arrive until five days later – after he ran out." [Bay News 9, [8/19/20](#)]

GEORGIA

Atlanta Journal-Constitution: Mail delays threaten Georgia absentee ballots delivered too late. "Some absentee ballots sent in Paulding County last month didn't arrive in voters' mailboxes for 28 days, said Deidre Holden, the county's elections supervisor... So far, Georgia election officials have rejected 1,575 absentee ballots because they were received after this week's election day." [Atlanta Journal-Constitution, [8/14/20](#)]

ILLINOIS

VIDEO: NBC Chicago: Chicago-Area Residents Call Recent Mail Delays Alarming. [NBC Chicago, [8/18/20](#)]

CBS 2 Chicago: Postal Problems Mean No Checks, No Medications For Weeks. "With a pandemic, elections, pharmaceuticals, and stimulus checks, the mail has never been more vital and is life or death for some. 'It took us three weeks to get our medication through the mail service,' said Chicago resident Barbara Jackson. Snail mail may be too kind." [CBS 2, [8/7/20](#)]

NBC News 13: Postal services are falling behind due to COVID-19, Postal Shoppe says to expect delays. "'We were seeing slowdowns in our priority mail and some of our packages weren't tracking. We have been trying to tell people that priority mail is not three to five days, it can be averaging a week to two,' said [Postal Shoppe owner] Hinkle." [NBC News 13, [7/31/20](#)]

IOWA

Des Moines Register: Des Moines postal union chief says new postmaster's rules slowing mail delivery. "Des Moines Local 44 American Postal Workers Union President Mike Bates said that since Postmaster General Louis DeJoy

banned overtime last month, supervisors have ordered trucks to leave the distribution station at exactly the prescribed time, even if workers have not yet loaded them with all of the day's mail." [Des Moines Register, [8/17/20](#)]

KENTUCKY

Louisville Courier-Journal: Postal Service's cost cutting is frustrating Kentuckians — and raising election concerns. "Again this week, Jenkins had not received mail for two days. And with his wife having surgery in the middle of July, he has wanted to receive billing information in a timely manner. 'With medical bills and all those type of things coming in the mail, it's been really frustrating,' Jenkins said." [Louisville Courier-Journal, [8/7/20](#)]

LOUISIANA

NOLA.com: Mail delays, frustrations grow in Louisiana as Trump opposes extra funding for Post Office. "Some had packages to send, others were waiting to collect several days' worth of mail, and still others left as soon as they saw the line. Jasmine Williams said her grandmother, who lives nearby, doesn't even check her mail anymore, knowing she'll need to physically go to the post office to collect it all anyway." [NOLA.com, [8/14/20](#)]

ABC KTBS 3: Postal customers frustrated by delayed shipments due to coronavirus. "'And it's just frustrating when we're paying for 2 days and then 2 weeks it's still not there,' she added. Lavender drove to the Shreveport facility to resend boxes of packages that she says her business sent out more than a week ago, but were returned to her." [ABC KTBS 3, [8/5/20](#)]

MAINE

Portland Press Herald: Mail-order chicks are arriving dead, costing Maine farmers thousands of dollars. "'We've never had a problem like this before,' said Henderson, who has been running her farm for five years and regularly receives shipments of live birds. 'Usually they arrive every three weeks like clockwork,' she said Wednesday." [Portland Press Herald, [8/19/20](#)]

FOX Bangor: New US Postal Service restrictions causing delays. "'There is one office. They have delayed mail to go out and another office that told a carrier to come back regardless if he had his whole route delivered,' said Elrich. 'So

he missed 30 minutes of his route a couple of days, that included some prescription medication.'" [FOX Bangor, [8/12/20](#)]

Bangor Daily News: Delivery of nearly 80,000 letters delayed in southern Maine amid policy change. "The Portland Press Herald reports that as much as 80,400 letters and other pieces of mail were left behind at the Postal Service's Scarborough distribution center on Monday because a new policy prohibits any late trips." [Bangor Daily News, [8/11/20](#)]

NBC News 13: Maine postal workers outraged by new policies, delivery delays. "A new policy from the postmaster general calls for no extra trips and no overtime. The union says that led to trucks leaving about 65,000 pieces of mail behind Monday, rather than wait an extra 10 minutes for the mail to be ready." [NBC News 13, [8/11/20](#)]

MARYLAND

Baltimore Sun: Postal Service reviewing staffing following complaints of mail delays in Baltimore area. "Metzgar said about a dozen customers were lined up inside both the Dundalk and Essex post offices when he and Ruppertsberger visited Monday. 'A lot of the seniors had ordered prescriptions in the mail. One guy was waiting for 2 1/2 weeks for annuity checks,' Metzgar said." [Baltimore Sun, [8/10/20](#)]

Baltimore Sun: Where's my mail? As Baltimore-area customers complain of USPS delays, officials wrangle over election ballot deadlines. "In a scene replayed across the country, Czempinski joined a line that stretched out from the Dundalk post office throughout the morning Friday as frustrated residents tried to track down missing mail. She hadn't received a single piece of mail since sometime last month, even as she sees postal trucks driving by without stopping." [Baltimore Sun, [8/8/20](#)]

CBS Baltimore: 'It's Been A Week Or More'; Baltimore County Residents Frustrated By Recent USPS Mail Delays. "For weeks, many Marylanders have been frustrated by mail delays, and some haven't been getting their mail at all. 'Me and my wife have been sitting here waiting for mail for the last five days,' said Dundalk resident William Ellison." [CBS Baltimore, [8/7/20](#)]

ABC News 9: Baltimore-area plagued by slow, missing mail. "The line stretches outside and down the sidewalk at the post office in Dundalk... Some say they haven't gotten any in two weeks. 'I'm waiting on unemployment, a card and it's just not showing up. So it should be here today, but it should've been here a week ago too, so I don't really know,' Kasandra Peros said. She said she needs the money to pay bills like her car insurance, and she's not alone." [ABC News 9, 8/7/20]

MASSACHUSETTS

Wicked Local: Amid postal delays, Brookline official cautions against waiting to request a mail-in ballot. "Don't wait to get your ballot request in, says Jeff Nutting, a consultant in the Brookline town clerk's office... Nutting said the Aug. 26 deadline 'is not a practical date.' The U.S. Postal Service is experiencing backlogs of mail throughout the country... Some of those mail concerns are starting to trickle down to the local level. 'We have received some mail in ballot applications that were postmarked 5 days earlier than when we received them,' Nutting said." [Wicked Local, 8/4/20]

Martha's Vineyard Times: Packages and frustration pile up. "The Post Office employee informed Seidman that the Post Office was currently scanning in packages delivered July 11 — a five-day backup. Seidman's package was delivered to his door at 6:44 pm on July 25, 12 days after it arrived at the Post Office." [Martha's Vineyard Times, 8/3/20]

MICHIGAN

FOX 47 News: Postal service delays affecting Lansing veteran's medication. "'It's taking too long to get that vital medication to get here,' said Carl Tielking. Tielking relies on getting his medication from the VA in the mail on time every month. 'Cramps happen throughout the night. I can't sleep because I have to take that medication to prevent that,' he said." [FOX 47 News, 8/20/20]

ABC 7 Detroit: 'We need to take the politics out of it.' Local man concerned over mail delays. "For this retiree from Rochester Hills, postal delays have real financial consequences. 'It is very important to me. It's just not something that I'm taking for granted. I watch it and I monitor it very, very closely,' said Gaul. Gaul's wife needs a medication that costs thousands of dollars. Each

month, Gaul must mail claim forms to get reimbursements." [ABC 7 Detroit, 8/13/20]

ABC News 13: Sen. Peters says 'hundreds' of Michiganders experience mail delays, calls for answers. "Senator Gary Peters, (D-Mich.), said in a media update Monday he has heard from "hundreds" of people experiencing a delay in their mail. Last week, Peters announced he opened an investigation into the United States Postal Service (USPS), in light of changes from a newly appointed Postmaster General, Louis DeJoy." [ABC News 13, 8/10/20]

Lansing State Journal: Michigan absentee voting smashed records. Now officials are worried about mail delays. "Absentee voting smashed records in Michigan this week, although officials warn thousands of ballots across the state may not have been counted because they arrived too late by mail. Those trends are likely to continue on an even larger scale in November as people vote absentee to avoid COVID-19 exposure." [Lansing State Journal, 8/6/20]

Bridge Michigan: Postal delays could cause trouble for Michigan's primary election. "Michigan clerks are already reporting mail delays and worry they may impact not only the primary but the Nov. 3 general election as well... The stakes are high: In Michigan, it doesn't matter when you send your ballot, only when it's received. Ballots that reach local clerks after Election Day don't count, even if they're postmarked before it." [Bridge Michigan, 7/29/20]

MINNESOTA

Star Tribune: In battle over mail-in voting, the mail in Minnesota is running late. "Jim Miller's mail-order medicine typically takes five days to arrive at his home in north Minneapolis. This month, it took two weeks. Miller, a Vietnam veteran who worked 35 years for the U.S. Postal Service, asked why. The postal workers he spoke to said they had been told to curtail delivery of first-class mail." [Star Tribune, 8/16/20]

Washington Post: Their mail was not delivered for days. Now these Minneapolis residents are worried about their votes counting. "'I'm pissed off. We're not getting mail for some reason,' said Wilford, who now plans to go to the polls in person Tuesday. 'I've had one heart attack already and I'm not trying to have another.'" [Washington Post, 8/8/20]

MISSISSIPPI

WJTV: Jackson USPS customers react to backup in deliveries. "Some people like Curtis Drake have said it might take double the amount of time it usually takes to arrive, and sometimes their mailboxes are empty. 'Usually it takes about a week but lately it's been taking two or three weeks more,' Drake said." [WJTV, [8/13/20](#)]

MISSOURI

KSDK News 5: Delays at the post office could force Missouri absentee voters to the polls. "Ronald Brown of St. Louis County said that he and his wife delivered their ballots to a post office in person more than a week ago. For nine days, the online ballot tracking system said his ballot was still waiting to be processed by the United States Postal Service." [KSDK News 5, [8/3/20](#)]

MONTANA

Billings Post-Gazette: Postal delays spark concerns about service, mail ballot elections. "For letter carrier Julie Quilliam, the new rules contradict everything she's ever known about the Postal Service's priorities. 'They don't want to use the manpower. We have it. That's what we've always done, 'every piece every day' was the motto,' Quilliam said." [Billings Post-Gazette, [8/9/20](#)]

NEW HAMPSHIRE

Concord Monitor: Notice your mail's been slower? You're not alone. "At a sorting center in Manchester recently, the digitally sorted mail was scheduled to finish ten minutes after the hard dispatch time of 7 p.m. 'Too bad, out the door, that mail stays 'til tomorrow,' Kelble said, noting that she'd also heard local carriers are being discouraged from helping to sort small amounts of almost-ready mail before starting their route." [Concord Monitor, [8/13/20](#)]

NEW JERSEY

NJ.com: Your mail is being delayed, unions say. Here's what's happening inside U.S. post offices in N.J. "[R]eductions in overtime, short-staffing at post offices and changes to past practice for how mail is distributed are

contributing to widespread issues, Bollinger said. 'Mail is being delayed everywhere in South Jersey,' he said." [NJ.com, [8/17/20](#)]

Union News Daily: Residents grow increasingly frustrated with spotty USPS. "A woman from Union Township described her experience, saying, 'Monday there's no mail, Tuesday there's no mail, Wednesday there's no mail, Thursday there's no mail, then, finally, Friday, I get all the mail I was supposed to be getting during the week.'" [Union News Daily, [8/3/20](#)]

NEW YORK

Spectrum News: Some Mail Is Delayed Five to Six Days in NYC, Postal Workers' Union Says. "Like most businesses, the Astoria Bookshop closed its doors to customers when the pandemic erupted. That's when the Postal Service became a lifeline, allowing owner Lexi Beach to sell books online. But she's noticed problems recently: deliveries to her store with postmarks that are two weeks old, and books mailed to customers in Queens ending up in other states before being delivered back in New York." [Spectrum News, [8/13/20](#)]

Buffalo News: Mail delays, days with no delivery prompt rising concern in WNY. "Such moves result in mail delays, especially in rural areas such as parts of Cattaraugus County, said Lori Cash, president of American Postal Workers Local 183. 'I have some zip codes that there's days they get no mail,' Cash said. 'I have one zip code in particular that sent me a message yesterday that they didn't get any letter mail three days in a row.'" [Buffalo News, [8/13/20](#)]

Rochester First: Brighton residents go days without snail mail. "Brighton resident Judy Schwartz is concerned. 'We didn't get our mail in two days in a particular week and then we had the same experience the next week and I thought it was strange,' said Schwartz." [Rochester First, [8/13/20](#)]

ABC 13 Rochester: Neighbors worry recent mail delays will affect absentee ballot voting. "With recent mail delays, some voters who are planning vote by absentee ballot are concerned their ballots won't arrive in time. Sheryl Westerman has applied for and mailed in her ballot for the past 11 years. Over the last month, she noticed her mail comes once or twice a week instead of every day." [ABC 13 Rochester, [8/11/20](#)]

Rochester Democrat and Chronicle: 'Where's my mail?'; Mail delivery slowed; workers blame policies. "Rochester-area postal customers have begun to mutter on social media and across the back yard fence that U.S. mail delivery has suddenly taken a turn for the worse. First-class mail is showing up later than expected - sometimes many days later." [The Democrat and Chronicle, [7/22/20](#)]

NORTH CAROLINA

Spectrum Local News: Slow-Moving Mail Impacting Veteran's Health. "Bill Rowan says for the past 10 years he has ordered his diabetes medicine through Veterans Affairs online. It typically takes a week to come in, but his last order did not show up on time... He says his blood sugar crawled higher each day, eventually getting to catastrophic levels." [Spectrum Local News, [8/19/20](#)]

Fox News 8: Mail delays hurting local small business owners. "'Every commercial business that's not like a restaurant on this street uses the postal service to mail out product. Every single one,' Mitchell said of Elm Street. He's worried if these delays stick around, small business owners could be losing even more sales during the pandemic." [Fox News 8, [8/9/20](#)]

OHIO

Cincinnati Public Radio: Ohio's Postal Service Problems Cause Dangerous Delays In Medication Delivery. "On August 3, Zach Matheny's blood thinning medication was filled at his pharmacy, and sent out for delivery via the U.S. Postal Service. It never arrived." [Cincinnati Public Radio, [8/20/20](#)]

Cleveland 19: Lakewood mail delays to blame for receiving school forms past due dates, parents say. "Parents are receiving mail so behind schedule that important documents needed for the upcoming school year are arriving past their due dates, Lakewood residents said." [Cleveland 19, [8/18/20](#)]

Cleveland.com: Dismantled equipment behind Cleveland Post Office raises delivery questions. "But during periods of high volume – such as the Christmas season, or ahead of an election – the missing machines will lead to service delays, he said. Freeman said at this point, the machines are no longer

usable. 'They're sitting out in the parking lot and getting rained on,' he said." [Cleveland.com, [8/17/20](#)]

WCPO ABC 9: Where's my mail? Complaints soar about postal delays. "'It's been a spiral effect of missing packages and medication,' he said. 'I don't know what to do.' Favors depends on the mailman to deliver his prescriptions from the VA, but his medicine is now often late." [WCPO ABC 9, [8/11/20](#)]

ABC News 13: Northwest Ohio letter carriers ponder the mystery of mail delays. "'The idea behind it is if it doesn't go out on Monday, it should go out on Tuesday but we are seeing and hearing route has been sitting for multiple days without being sorted or delivered,' said Hayden." [ABC News 13, [7/27/20](#)]

ProPublica: The Postal Service Is Steadily Getting Worse — Can It Handle a National Mail-In Election? "Two weeks after the polls closed in this year's Ohio primary, two U.S. Postal Service employees showed up in the office of Diane Noonan, the director of elections in Butler County. The workers carried a tray of 317 unopened ballots that had been sitting in a Postal Service warehouse since the day before the election. The ballots would have counted if they had been delivered on time. Now, there was no way to legally count them." [ProPublica, [7/15/20](#)]

OKLAHOMA

102.3 KRMG: Mail delays reported in Tulsa area. "'I've heard from other people that are veterans, friends of mine, who get their medicines, and they're also being delayed,' Bradley said. He says the main problems are new rules that limit overtime and the removal of 5 to 10 postal sorting machines." [102.3 KRMG, [8/17/20](#)]

Public Radio Tulsa: 'A Major Problem': Tulsa Postal Union Boss Says Mail Being Intentionally Delayed. "Bradley said that some of the parcels being delayed are extremely crucial for people to receive in a timely matter. 'For example: I get my medication; it comes out of Muskogee and it takes one day to get it. It now takes three days,' Bradley said. 'That is a major problem. We do a lot of delivery of mail-in prescriptions for people. They rely on their prescriptions.'" [Public Radio Tulsa, [8/14/20](#)]

OREGON

Willamette Week: U.S. Postal Service Confirms It Has Removed Mailboxes in Portland and Eugene. "A spokesman for the United States Postal Service confirmed that the agency has removed four blue boxes from Portland, and 27 from Eugene this week. The USPS plans to remove a few more boxes from Portland next week... Portland postal workers warned earlier this month that voters should be wary of using the mail to deliver their ballots in the final week of the August special election." [Willamette Week, [8/13/20](#)]

PENNSYLVANIA

Philadelphia Inquirer: USPS says Pennsylvania mail ballots may not be delivered on time, and state warns of 'overwhelming' risk to voters. "The United States Postal Service warned Pennsylvania that mail ballots may not be delivered on time to be counted because the state's deadlines are too tight for its 'delivery standards,' casting fresh doubt on Pennsylvania's ability to conduct much of the 2020 election by mail." [Philadelphia Inquirer, [8/13/20](#)]

WHYY: Philadelphia's big mail problem. "Some Philly neighborhoods haven't gotten mail delivered in three weeks, leaving some residents scrambling for their medications and paychecks. Democratic lawmakers are now raising the alarm. One big concern? That the U.S. Postal Service won't be able to handle a surge of mail-in ballots for November's presidential election." [WHYY, [8/6/20](#)]

Philadelphia Inquirer: Mail delays are frustrating Philly residents, and a short-staffed Postal Service is struggling to keep up. "Neighborhoods across the Philadelphia region are experiencing significant delays in receiving their mail, with some residents going upwards of three weeks without packages and letters, leaving them without medication, paychecks, and bills." [Philadelphia Inquirer, [8/2/20](#)]

SOUTH CAROLINA

WSPA News 7: Dysfunction at USPS causing mail delays locally, union leader says. "The president of the Greenville chapter of the American Postal Workers Union, Adrienne Griffin, is warning of dysfunction in the United States Postal

Service in Greenville. She said it's slowing down mail delivery by days, and she's worried about mail-in ballots." [WSPA News 7, [8/17/20](#)]

CBS News 19: Midlands residents seeing postal delivery delays. "Marsha Kent, a resident of Chapin, says she was missing a package from the post office for two weeks. 'Informed delivery just kept saying, "pending processing," or something of that sort, in Columbia. And it pended for about two weeks.'" [CBS News 19, [8/14/20](#)]

CBS News 19: Local business notices delays with postal service. "Mullender said her customers depend on receiving their mail or having their items delivered in a timely manner. She said it's been an issue for a while now. But even as an authorized shipper, she's still at the mercy of the USPS, leaving her customers upset at times." [CBS News 19, [8/14/20](#)]

TENNESSEE

WREG 3: Memphians say they've gone days without mail delivery. "Some Memphians say they've gone as long as nine days without mail delivery as the U.S. Postal Service points to the ongoing coronavirus pandemic." [WREG 3, [8/13/20](#)]

Tennessean: Post office delays create uncertainty; Concerns arise for businesses, upcoming election. "Elena said she finds herself devoting more and more time and resources to corresponding with customers who have not received their orders. It has cost her business a 'significant chunk' of money." [Tennessean, [8/6/20](#)]

ABC News 9: Local postal workers say your mail could be delayed. "NewsChannel9 reached out to the local postal union, Chattanooga American Postal Workers Union. Their president Judy Stocker says people will see mail delays if they haven't already." [ABC News 9, [7/30/20](#)]

TEXAS

The Hill: 82-year-old Texas man says USPS delays have left him without daily heart medicine for a week. "An elderly Texas man says his heart medication has remained at a Postal Service processing facility for more than a week due

to delays in mail delivery affecting residents of many U.S. states." [The Hill, [8/17/20](#)]

Houston Chronicle: From businesses to brides, mail delays already impacting Houston. "Melissa Palacios Gonzalez, a U.S. Navy veteran, runs an accessories and clothing shop out of her home in Spring... A USPS Priority Mail order of flip flops, which was supposed to be delivered in one or two days, took a week to reach its destination, Palacios Gonzalez said." [Houston Chronicle, [8/17/20](#)]

San Antonio Express News: San Antonio Postal Service sorting machines 'thrown in the trash.' "More than two weeks ago, Silva mailed his gas payment to a utility in Floresville and his water payment to another company in La Vernia. On Monday, neither had made it to its destination, he said. Now, the utility in La Vernia is threatening to shut off his water, he said." [San Antonio Express News, [8/17/20](#)]

KWTX 10: Local mail delivery could be delayed as postal service focuses on cutting costs. "Workers are directed to leave on time, even if mail has not been delivered. 'The emphasis is no longer on timely dispatching, getting the mail out and that's troubling to a lot of postal employees,' said Charles Tillman, a representative of the Texas Postal Workers Union." [KWTX 10, [8/12/20](#)]

UTAH

KSLTV: Ogden Veteran Says Mail Delays Causing Prescriptions To Arrive Late. "'My husband is a disabled vet. He gets his care through the Salt Lake City VA and it comes through the U.S. Postal Service,' said Matheson, who spoke on behalf of her husband... However, they were both concerned when the shipment that normally takes two days to get to their Ogden home still wasn't there on day nine." [KSLTV, [8/14/20](#)]

Moab Sun News: Rural Utahns worry about post offices. "'We've got people who receive Social Security checks, pension checks and medication through the mail,' said Van Wetter. 'If we lost our post office, that would mean that our aging population has to travel 40 miles over two-lane highways to get those same things.'" [Moab Sun News, [8/13/20](#)]

VIRGINIA

Roanoke Times: CASEY: Mail delivery slowdown leaves Roanoke County residents wondering. "She fears the slowdown she and Marty experienced last week is merely a glimpse of worse to come before Nov. 3. 'I'm 75,' Jami said. 'I don't want to get the COVID. Are they going to take my voice [vote] out of 350 million people?'" [Roanoke Times, 8/15/20]

Free Lance-Star: Stafford residents fed up with poor mail delivery. "After five days of waiting, Brenda Murray finally got mail delivered to her home last Friday. 'It was not as much as I expected,' Murray said." [Free Lance-Star, 8/11/20]

ABC 13 News Now: People in Hampton Roads feeling impact of US Postal Service delivery delays. "Suffolk homeowner Wulf Berg served 21 years in the United States Air Force. Berg is retired and was waiting more days than usual for his mail to arrive. 'I did not receive any mail on Tuesday or Wednesday,' said Berg... 'I have ordered medication about a week ago and I don't know where the medication is,' he said." [ABC 13 News Now, 7/16/20]

WASHINGTON

WAOW: Post office backlogs impact hundreds of locals. "Some families say letters and packages that once only took days now takes weeks, even months to arrive. One family said they are waiting for a check that is supposed to help pay for a young man's college tuition, but the money is weeks delayed and the bill is due soon." [WAOW, 8/18/20]

WISCONSIN

ABC News 9: Slow service at USPS could impact local businesses. "Mishkar says she and other Etsy sellers have been experiencing difficulties with customers not getting their orders on time. Even though it's mostly out of her control, she said it can still have a negative impact on her store. 'Buyers are getting angry and demanding refunds...'" [ABC News 9, 8/17/20]

NPR Milwaukee: Postal Delays, Errors In Wisconsin And Other Swing States Loom Over Election. "Concerns over mail delivery are coming alarmingly true in Wisconsin, where election officials continue to have problems with ballots

not being delivered to voters. Nearly 700 voters in the cities of Milwaukee and Wauwatosa did not receive ballots they requested in late June for Tuesday's primary." [NPR Milwaukee, [8/13/20](#)]

CBS 58: Voters, businesses concerned over delayed United States Postal Service mail times. "Whitefish Bay voter Wes Manko dropped off his absentee ballot to USPS on Saturday, Aug. 1, and as of Monday night, the clerk's office has not received his ballot... 'Any senior citizen is affected by this, any hardworking American that thinks their vote counts is affected by this, anyone with pre-existing conditions is affected by this,' said Manko." [CBS 58, [8/10/20](#)]

Milwaukee Journal Sentinel: Service changes could slow state's mail delivery; USPS is vital lifeline in pandemic, election. "Sippel, like many Americans, didn't know the post office is facing financial difficulties. What Sippel does know, she said, is how important it is to get packages delivered to her home, where sometimes the letter carrier brings them to the door because he knows she has small children." [Milwaukee Journal Sentinel, [7/17/20](#)]

ProPublica: The Postal Service Is Steadily Getting Worse — Can It Handle a National Mail-In Election? "On April 8, one day after Wisconsin's primary, a Postal Service official found 1,600 ballots headed for Appleton and Oshkosh in an area plant, according to a May report by the Wisconsin Election Commission. Those ballots never reached voters." [ProPublica, [7/15/20](#)]

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Exh. A-26

Exh. A-26	
Title	Gardner, Amy; and Kim, Seung. "State officials rush to shore up confidence in Nov. 3 election as voters express new fears about mail voting." <i>Washington Post</i> , 16 Aug. 2020.
URL	https://www.washingtonpost.com/politics/state-officials-rush-to-shore-up-confidence-in-nov-3-election-as-voters-express-new-fears-about-mail-voting/2020/08/16/3d511144-df23-11ea-b205-ff838e15a9a6_story.html
"President Trump's unprecedented attacks on the U.S. Postal Service amid widespread mail delays across the country are shaking voters' faith that their ballots will be counted, prompting a rush among federal, state and local officials to protect the integrity of the Nov. 3 election."	

State officials rush to shore up confidence in Nov. 3 election as voters express new fears about mail voting

By **Amy Gardner** and **Seung Min Kim**

August 16, 2020 at 7:21 p.m. EDT



President Trump's unprecedented attacks on the U.S. Postal Service amid widespread mail delays across the country are shaking voters' faith that their ballots will be counted, prompting a rush among federal, state and local officials to protect the integrity of the Nov. 3 election.

Thousands of voters have called government offices in recent days to ask whether it is still safe to mail their ballots, according to officials across the country. Attorneys general from at least six states are huddling to discuss possible lawsuits against the administration to block it from reducing mail service between now and the election, several told The Washington Post. State leaders are scrambling to see whether they can change rules to give voters more options, and Democrats are planning a massive public education campaign to shore up trust in the vote and the Postal Service.

House Speaker Nancy Pelosi (D-Calif.) on Sunday announced that she was calling the House back early from its summer recess to vote on legislation later this week that would block changes to Postal Service operations. House Democrats on Sunday also announced plans for an emergency hearing on mail delays later this month.

"He is undermining the safest voting method during a pandemic and forcing people to cast a ballot in person," Colorado Secretary of State Jena Griswold (D) said of Trump. "It is reprehensible."

The race to action comes amid escalating worries that even if the president does not succeed in blocking mail voting, he has created a dangerous crisis of confidence that could jeopardize whether Americans view the eventual outcome as legitimate.

"He has succeeded enough that everybody is working overtime to clean up the mess," said Kristen Clarke, president of the Lawyers' Committee for Civil Rights Under Law, a nonpartisan voting rights group.

For months, elections officials in both major political parties have been encouraging voters to cast their ballots by mail to avoid coronavirus infection. The effort has worked, with record numbers voting by mail in a slew of primaries this spring and summer — and planning to do so again in November, according to numerous public polls. More than 180 million Americans are now eligible to vote by mail in the fall after many states relaxed their rules.

But the president, lagging in the polls behind presumed Democratic nominee Joe Biden, has been lobbying nonstop attacks on voting by mail, making unfounded claims that it opens the door to rampant fraud. In fact, states that have embraced universal mail voting have documented tiny rates of ballot fraud, data shows.

Last week, Trump went further, saying he opposes billions of dollars in urgently needed election funding for the states

and the Postal Service because he doesn't want states to make it easier for Americans to vote by mail.

Voting advocates and Democrats accused the president of intentionally sowing chaos and confusion just as election offices are starting to accept requests for mail ballots — a blatant attempt at voter suppression, they said.

“I am alarmed. I am disheartened,” said Sen. Amy Klobuchar (D-Minn.), who is pushing for a \$3.6 billion cash infusion to help states prepare for the fall elections in the latest coronavirus relief package. “But no one in America has given up, because people are on to him. They know what he’s doing. Americans, as you can see from their votes in their primaries, would rather put ballots in the mailbox than their families in the hospital.”

Trump campaign spokesman Tim Murtaugh said Sunday that the president is open to more post office funding if Democrats support more help for “normal Americans,” such as the stimulus checks and small-business relief that Trump has demanded.

But, Murtaugh added, “Democrats know that changing voting rules this close to an election will cause chaos, and now they’re looking for someone else to blame.”

In an appearance Sunday on CNN’s “State of the Union,” White House Chief of Staff Mark Meadows appeared to back off Trump’s earlier comments, saying the president is open to legislation that would ensure adequate postal funding to manage the surge of mail ballots this fall. Meadows also said no postal sorting machines will be taken off line between now and Nov. 3, insisting that previous removals were part of a plan that predated the Trump administration.

“The president of the United States is not going to interfere with anybody casting their vote in a legitimate way, whether it’s the post office or anything else,” Meadows said.

But in the same interview, Meadows emphasized the president’s concern about ballot fraud, even though he was unable to point to evidence of widespread fraud. “There’s no evidence that there’s not,” he said.

Postal workers have expressed alarm in recent weeks about widespread mail delays across the country, the result of operational changes put in place at the Postal Service by Louis DeJoy, the postmaster general and a top GOP donor, saying the backlogs could hamper ballot delivery.

The revelation Friday that the Postal Service has warned 46 states that it cannot guarantee the delivery of all ballots in time to be counted under their current deadlines set off a cascade of panic in the public. Social media lit up with frantic questions from people about how to cast ballots safely. On Twitter, #USPSProtests was a top trending hashtag throughout the weekend.

Many voters said they were so alarmed that they are reconsidering their plans to cast mail ballots and plan to risk going to the polls in person amid the pandemic to make sure they are counted.

“I was planning on doing it though the post office,” said Kamilla Gilfedder, 36, a voter in Lexington, Ky., who plans to vote for Biden. “It was primarily just to avoid covid. I’ve got a toddler, and my family is high-risk. But when I think about it, I just want to make sure that my vote is registered. So I think I’m going to go in.”

Kathy Blair, 73, a retiree who lives in St. Paul, Minn., said she is still waiting for her granddaughter in California to receive a birthday present she mailed July 14 using priority service. Blair said she plans to vote early in person this fall and has persuaded several of her friends who had planned to vote by mail to do the same. Otherwise, she said, “five

and has persuaded several of her friends who had planned to vote by mail to do the same. Otherwise, she said, “five weeks, six weeks later the ballots may never show up,” calling the postal delays “a travesty.”

In Virginia, hundreds of voters called the state elections office Friday trying to cancel their mail-ballot requests, according to Chris Piper, the top elections official in the state. Piper said there is no formal way to do so, but voters who want to vote in person should bring their mail ballot with them to the polls, allowing officials to void it.

Attorneys general from Virginia, Pennsylvania, Minnesota, Massachusetts, Washington and North Carolina, among others, have begun discussions on how to sue the administration to prevent operational changes or funding lapses that could affect the election. They expect to announce legal action early this week, according to several involved in the talks.

“This is not just terrible policy, but it may be illegal under federal law and other state laws as well,” said Virginia Attorney General Mark R. Herring (D). “A lot of work is being done literally as we speak over the weekend and at nights to try to figure out what Trump and DeJoy are doing, whether they have already violated or are likely to violate any laws and how we can take swift action to try to stop this assault on our democracy.”

Eric Holder, who served as U.S. attorney general under President Barack Obama and now leads the anti-gerrymandering group National Democratic Redistricting Committee, is also considering legal action, a spokesman said.

Democrats, who have seized on the mail delays as a potent campaign issue, moved rapidly to keep the pressure on the administration and GOP lawmakers.

House and Senate Democrats said they are launching investigations into service changes at the Postal Service. And the House Oversight Committee on Sunday scheduled an emergency hearing on mail delays and concerns about potential White House interference in the Postal Service, inviting DeJoy and Postal Service Board of Governors Chairman Robert M. Duncan to testify Aug. 24.

The Postal Service did not immediately respond to a request for comment.

Biden’s campaign, meanwhile, plans to devote a “substantial” portion of \$280 million in reserved ad time this fall to education messages designed to walk voters through their options on how to vote safely and securely, spokesman TJ Ducklo said.

Democrats and voting advocates appeared united that the most urgent task is to reassure voters that casting their ballots by mail is safe and secure, especially if they give them plenty of time to arrive.

“Donald Trump is scared,” said Lauren Groh-Wargo of Fair Fight Action, the voting rights organization founded by Democrat Stacey Abrams, who ran for governor in Georgia in 2018. “He’s a coward. He doesn’t think he can win an election when everybody is allowed to vote. Our vote is our power.”

State elections officials also noted that they have been talking to local postal managers for weeks and said they have been told ballots will be given priority treatment.

“We are exploring all available options, but we also want to make clear that people should continue to make use of mail options and not be deterred by the president’s effort to undermine the election,” said Massachusetts Attorney General Maura Healey (D).

Officials plan to drive home the need for voters to cast their ballots early, both through the mail and at early-voting sites. In most states, absentee ballots will start arriving toward the end of September. That raises the prospect that millions of Americans will rush to cast their votes weeks before the Nov. 3 election.

In the states, elections officials are also consumed with the question of whether they have time to make fresh changes to election policies to give voters more options — and more time — to return their ballots.

In Colorado, which offers universal mail voting, Griswold is urging local elections administrators to apply for additional drop boxes to place across their counties. Griswold's office is paying for 100 such boxes, which cost between \$4,000 and \$10,000. Griswold said she is also considering whether to send ballots out to voters earlier than scheduled to give voters even more time to return them.

While many states are accelerating their use of drop boxes as an alternative to mailing ballots, Republicans have raised questions about their security, even suing to block them in Pennsylvania. Democrats have pointed to that opposition as evidence that Republicans are more interested in hindering voting than helping run an unprecedented election during a pandemic.

"The majority of Coloradans already use drop boxes," said Griswold, noting that the boxes are bolted to the ground, lighted at night and under 24-hour surveillance. They are also emptied by a team that must include one Republican and one Democratic election judge, she said.

Scott McDonell, the clerk of Dane County, Wis., which includes Madison, said one local elections official in the county briefly considered using library book drops for ballots before realizing they are not secure enough.

"You need something that can't be broken into," McDonell said.

Meanwhile, officials are making plans for additional voter education campaigns to remind the public that early in-person voting is also a safe option for those seeking to avoid the likely denser crowds of Election Day. Officials also plan to instruct voters not to use the mail to return their ballot too close to the election — but said they haven't figured out when that cutoff should be.

"At some point we're going to message voters, 'If you haven't sent your absentee ballot back, then you need to go ahead and take it in,'" said Piper, the Virginia elections official. Piper said the state legislature is also expected to consider more funding for drop boxes this week, when a special session convenes.

The mail backlogs prompted a massive outcry from postal customers who rely on the mail for the delivery of medicines, unemployment checks and Social Security payments. Sen. Robert P. Casey Jr. (D-Pa.) received more than 5,000 letters on the subject in the past week, according to his office. Sen. Gary Peters (D-Mich.) has received nearly 7,000. Sen. Jon Tester (D-Mont.) reported 3,000 such complaints.

Peters's office said that more than 750 of the messages to his office related to election issues, including complaints of never receiving mail ballots in the Michigan primary two weeks ago and testimonials of dropping off ballots rather than risking a mail delay.

The public outcry has led even Republican lawmakers to press the Postal Service to alter its approach.

Rep. John Katko (R-N.Y.) announced Friday that he supports a reversal of DeJoy's policy changes. Sen. Steve Daines (R-Mont.) wrote a letter to DeJoy urging the same, citing the heavy reliance of small businesses, veterans and seniors on the mail in his rural state.

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“The reason the president doesn’t want people to vote by mail is that polls show that people who want to vote by mail tend to vote for Vice President Biden,” Sen. Mitt Romney (R-Utah), a regular critic of Trump, said in a video interview with the conservative Sutherland Institute. “People who tend to want to vote in-person tend to want to vote for President Trump. So this is a political calculation.”

Trump’s threats to oppose Postal Service funding came the same week that he and first lady Melania Trump put in their own requests for absentee ballots in Florida.

Recent polls have produced varying estimates for the share of Americans who expect to vote by mail. A new Pew Research Center poll released last week found that 39 percent of all registered voters prefer to vote by mail in November; while a separate Monmouth University poll found 49 percent saying they are at least somewhat likely to vote by mail.

In 2016, by comparison, about 24 percent of voters cast absentee ballots, according to the U.S. Election Assistance Commission.

Pew’s survey also found that nearly half of registered voters said they expect voting in November to be difficult — more than triple the share who said this ahead of the 2018 midterm elections. Democrats, younger voters and Black voters were much less likely than others to expect voting will be easy.

Democrats, meanwhile, said that bipartisan support for the mail gives them leverage to approve a \$25 billion bailout for the Postal Service. They also say the issue has given them a potent political weapon in House and Senate battlegrounds, with numerous Democratic candidates already on the air with ads criticizing their opponents for failing to shore up mail service.

“No matter what [Trump] does, Americans are going to find a way to vote,” Klobuchar said. “But we have to do everything we can to make it safe.”

Jacob Bogage, Scott Clement and Joseph Marks contributed to this report.

Exh. A-27

Exh. A-27	
Title	McCarthy, Ryan; and Jameel, Maryam. "The Postal Service Is Steadily Getting Worse - Can It Handle a National Mail-In Election?" <i>ProPublica</i> , 15 Jun. 2020.
URL	https://www.propublica.org/article/the-postal-service-is-steadily-getting-worse-can-it-handle-a-national-mail-in-election
<p>"During Ohio's April 28 primary, mail delivery had been so slow that the secretary of state publicly warned voters and called for the Postal Service to add staff. As they counted votes, Noonan and her team checked in with the service every day until the deadline. 'We said, Listen this is the last day, she recalled. If we get ballots after this, they're not going to be counted.'"</p>	

Postal delays and mistakes have marred primary voting, and after years of budget cuts and plant closures, mail delivery has slowed so much that ballot deadlines in many states are no longer realistic.

by Ryan McCarthy and Maryam Jameel, June 15, 5 a.m. EDT



Mail boxes taped up near a post office during the coronavirus outbreak in Virginia on April 12. (Mark Peterson/Redux)

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Two weeks after the polls closed in this year's Ohio primary, two U.S. Postal Service employees showed up in the office of Diane Noonan, the director of elections in Butler County. The workers carried a tray of 317 unopened ballots that had been sitting in a Postal Service warehouse since the day before the election.

The ballots would have counted if they had been delivered on time. Now, there was no way to legally count them. The next day, another ballot that had been postmarked in time to be counted arrived with no explanation.

In Geauga County, officials found 26 such ballots; Lucas County saw 13. Many election administrators in Ohio had already lost patience with the Postal Service. During Ohio's April 28 primary, mail delivery had been so slow that the secretary of state publicly warned voters and called for the Postal Service to add staff. As they counted votes, Noonan and her team checked in with the service every day until the deadline. "We said, 'Listen this is the last day,'" she recalled. "'If we get ballots after this, they're not going to be counted.' They assured us."

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The Postal Service's official excuse for misplacing the Butler County ballots was an "unintentional mis-sort." That response satisfied neither Ohio's secretary of state nor Noonan. "We got an explanation that really wasn't an explanation," Noonan said. "It's all in their hands. That's what's scary." The missing ballots in Ohio were just one sign of a larger problem. Frequently attacked by President Donald Trump and his supporters, the beleaguered Postal Service is under tremendous pressure to ensure that an unprecedented number of Americans can vote by mail in November, avoiding the potential health risk of in-person polling places during the coronavirus outbreak. The disarray Tuesday in the Georgia primary, in which voting machines malfunctioned and people waited in line for hours to cast their ballots, underscores the potential value of voting by mail.

With online retailers like Amazon cutting into its packaging revenue, the Postal Service has been losing both money and its former centrality in American culture. By running a national election smoothly, it could rebuff its critics and regain some of its prominence. But in the primaries, voters and election officials have been confronting the new reality of the Postal Service: delivery times slowed by years of budget cuts and plant closures. There have already been significant delays and mistakes in delivering ballots in Indiana, New Jersey, Maryland, Ohio, Wisconsin, Pennsylvania and Washington, D.C. The Postal Service has not hit its own goals for on-time delivery of any type of first-class mail in five years. Last year, the agency delivered only 80.88% of its three- to five-day single-piece first-class mailings on time, missing its goal by 14.37 percentage points. Performance on that type of first-class mail — which is how some absentee ballots are sent — has been declining for the better part of a decade.

"In the last five years it's gotten really bad," said a former Postal Service executive, who requested anonymity because he still works in the mailing

industry. He added that election officials still may not know enough about how the agency operates. “There’s a huge gap in understanding of how mail is sorted and how that could affect vote by mail ballots.”

Complicating the Postal Service’s task is that many states are building large vote by mail systems on the fly. In 2018, 26 states and Washington, D.C. had vote by mail rates under 10%, according to the Brennan Center for Justice. States that don’t regularly send ballots to voters may keep inaccurate voter address lists, leaving overburdened postal workers to deliver ballots to the wrong places.

Many states have failed to adjust their ballot deadlines to accommodate slower delivery. More than half of states allow voters to request an absentee ballot seven or fewer days before an election. Though some jurisdictions let voters submit ballots in designated drop-off boxes, those who wait too long to request or mail back their ballots could see their votes arrive too late to count.

There are other deadlines that can be affected by mail delivery problems. Many states use “received by” deadlines tied to when local election offices receive a ballot. This year, as mail delays have mounted, some states have had to extend these deadlines. Other states stipulate a date by which a mail ballot must be postmarked. Controversies over missing or illegible postmarks marred Wisconsin’s primary this year, and House Democrats tried to include national standards on ballot postmarking in one of the stimulus packages.

In the general election, even mail delays in line with the Postal Service’s historical performance could affect hundreds of thousands or perhaps millions of votes. According to a report from the Postal Service’s Office of Inspector General, 95.6% of election mail nationally was delivered on time during the 2018 election, just below the agency’s target of 96%. But the seven lowest-performing mail processing centers that the report examined, including facilities in swing states Florida, Ohio and Wisconsin, delivered an average of 84.2% of election mail on time. Six of those seven low-performing facilities failed to reassign staff to handle increased election mail volume.

To be sure, the Postal Service’s operations are still massive: Last year, the agency delivered a total of 143 billion pieces of mail. Election experts believe that the Postal Service has the capacity to handle a national election conducted primarily through the mail — but only if it coordinates closely with state election officials and if voters cooperate by sending their ballots early. A Postal Service spokeswoman said in a statement that it employs “a robust and proven process to ensure proper handling of all Election Mail, including ballots. This includes close coordination and partnerships with election officials at the local, county, and state levels. As we anticipate that many voters may choose to use the mail to participate in

the upcoming elections due to the impacts of the COVID-19 pandemic, we are conducting and will continue to proactively conduct outreach with state and local election officials and Secretaries of State so that they can make informed decisions and educate the public about what they can expect when using the mail to vote.” She emphasized that most first-class mail “is delivered within 2-5 days, consistent with our delivery standards.” Still, the USPS acknowledges that it needs more time to deliver ballots than is contemplated in election rules. “To account for delivery standards and to allow for contingencies (e.g., weather issues or unforeseen events), voters should mail their return ballots at least 1 week prior to the due date established by state law,” the USPS warned on May 29. “If a state law requires completed ballots to be received by election officials by a specified date (such as Election Day) in order to be counted, voters should be aware of the possibility that completed ballots mailed less than a week before that date may not, in fact, arrive by the state’s deadline.”

It’s unclear how many voters follow this advice or even know about it. “Any voter who thinks that they’re going to want to vote by mail should really be putting in their application as soon as possible and not leaving it up to chance,” said Tammy Patrick, a senior adviser to the Democracy Fund and a former Arizona election official.

For years, Patrick and other experts have warned election officials about the need to adjust operations and deadlines to account for a slower, more cash-strapped Postal Service. But these changes have been spotty, and some states and counties are simply not prepared.

Patrick has called for states to modernize vote by mail systems and implement best practices like intelligent bar codes on the outside of ballot envelopes for tracking them, which the Postal Service also recommends. “I’ve been saying that same thing for five years,” she said. Eight days before Ohio’s primary, Sarita Montgomery, the Postal Service’s head of election mail for northern Ohio, sent election officials a frank warning about the state’s ballot deadlines, according to an email obtained by ProPublica. Ohio gave voters until noon on Saturday, April 25, three days before the election, to request an absentee ballot. Ballots had to be postmarked by April 27. Those rules, Montgomery suggested, meant that some voters could be disenfranchised. “There is a strong likelihood that the timing for mailing out ballots may not allow adequate time for voters to receive the ballot and return it by mail in time to meet the state’s postmark deadline,” she wrote.

The warning came as no surprise to Aaron Ockerman, executive director of the Ohio Association of Election Officials. Ockerman said his members reported “outrageous” mail delays during the primary, and his organization has been urging state officials for years to change ballot deadlines to allow for longer mail times.

“I have paraded this in front of just about anybody in the world who will listen, and said, ‘We have got to fix this,’” Ockerman said. “It’s just not fair to a voter to set this false expectation that if you wait until the last minute and request a ballot that you’re actually going to get it and legally be able to cast it under Ohio law.”

When the iconoclastic Cosmo Kramer tried to cancel his mail in a 1997 “Seinfeld” episode, his friend Newman, a postal worker, was scandalized but confessed: “All right, it’s true. Of course nobody needs mail.” The joke rings hollow now as the Postal Service may be needed to deliver tens of millions of mail-in ballots despite being in turmoil on two fronts: politics and the pandemic. The Postal Service is a favorite target of Trump, who in April called the agency a “joke,” though he later tweeted that he would never let the Postal Service fail. By statute, the Postal Service is supposed to be an independent agency, with spending and operations overseen by its board of governors. With scant evidence, Trump has attacked vote by mail as “corrupt” and “fraudulent,” even as he and at least one member of his staff have voted by mail.

In April, the Postal Service alerted members of Congress that it could run out of money by September, requested a \$75 billion bailout and projected a 30% decline in revenue because of the coronavirus outbreak. Trump has said that he won’t agree to a Postal Service bailout unless the agency raises prices for packages. The Postal Service has begun discussing a \$10 billion loan from the Department of Treasury, the terms of which, The Washington Post reported, could give Treasury Secretary Steven Mnuchin unprecedented say over postal operations. It’s unclear if the Postal Service will still need the loan, because online shopping has picked up, although other revenue categories are down.

Last month, Louis DeJoy, a North Carolina businessman and longtime Republican donor who has given more than \$1 million to Trump’s campaigns, was named postmaster general, stoking concerns that the agency was being politicized. DeJoy, who said upon his appointment that he looked forward to “working with the supporters of the Postal Service in Congress and the administration” to ensure that it remains “an integral part” of the federal government, did not respond to emailed questions.

Robert M. Duncan, chair of the board of governors and former chair of the Republican National Committee, said in a May 6 statement that the board “appreciated Louis’ depth of knowledge on the important issues facing the Postal Service and his desire to work with all of our stakeholders on preserving and protecting this essential institution.”

DeJoy’s appointment has coincided with departures of key administrators. Ronald Stroman, the deputy postmaster, and the lead coordinator on

election mail, announced that he was resigning as of June 1. And David Williams, a Trump-appointed Democrat on the Postal Service's board of governors, stepped down, reportedly angry with the Treasury Department for intervening in Postal Service affairs. Williams and Stroman did not respond to requests for comment.

Postal worker unions, for their part, say they're sure that they can handle this year's election mail, provided there's proper planning and they are given enough staffing. Still, the pandemic has put a strain on many postal workers' lives and on mail operations. More than 3,000 of the nation's 600,000 postal workers have tested positive for COVID-19, 67 have died of the virus and 5,800 workers are under quarantine, according to the American Postal Workers Union. Even before the pandemic, the Postal Service relied on many postal workers regularly working overtime to get mail delivered.

Four workers in the union's Detroit chapter have died of COVID-19. As mail volume has increased during the pandemic, local President Keith Combs said, his chapter has seen workers fall sick or miss work to care for loved ones. "The union office that I represent sits right in the middle of the worst ZIP code here in Detroit for the coronavirus. It has caused a big issue with the mail flow," Combs said.

Detroit's problems affected Ohio's election mail delivery. Because of the wave of plant consolidation, mail for some northwestern Ohio municipalities, like Toledo, is sorted in Detroit. As Ohio's mail delays mounted in the week before the primary, the secretary of state, Frank LaRose, a Republican, successfully lobbied to get mail sorted in-state.

John Dyce, president of the Ohio Association of Letter Carriers, worries that his organization's reputation will be hurt by factors outside members' control, such as election laws that don't allow enough time for delivery. "We take great pride in what we do. We do feel we get unfairly blamed for it," Dyce said. Years of cutbacks and a 2006 law requiring the Postal Service to prefund its retirement benefits, Dyce said, have put the agency in an untenable financial position: "Whenever you're doing things like that, there's the possibility for delays," he said.

On April 8, one day after Wisconsin's primary, a Postal Service official found 1,600 ballots headed for Appleton and Oshkosh in an area plant, according to a May report by the Wisconsin Election Commission. Those ballots never reached voters.

The report was critical of the Postal Service's response: "Written inquiries to the USPS did not produce any specific information about these ballots," the commission said. It said that its staff had been unable to learn any

more, and that Wisconsin's two U.S. senators have asked the Postal Service's inspector general to investigate.

In Fox Point, Wisconsin, outside Milwaukee, election officials were baffled that ballots were mailed to voters only to be returned to the village by the Postal Service without an explanation. "People would ask us, 'Where's my ballot?'" said Scott Botcher, the village's manager. "And I'd say, 'Well, we mailed it.'"

Botcher's office delivered the ballots by hand to the local post office each day. Still, 100 to 150 ballots per day were sent back to his offices in the week before the election. On Election Day, Fox Point village offices received a tray with 175 such ballots. It's unclear how many Fox Point voters were disenfranchised, Botcher said, as residents who did not receive their ballots could still have voted in person. He remains perplexed. "We still don't know why it happened," he said. "I just want to know so it doesn't happen again and I can get my taxpayers their ballots."

New Jersey held municipal elections on May 12 entirely by mail. There were reports of mail delays and problems in several cities including Paterson, where a City Council race was decided by just one vote. At least 300 ballots for the Paterson race, left in a mailbox in a nearby town, had to be discarded because of suspicions that they had been illegally bundled together. Mayor Andre Sayegh said that authorities are investigating possible ballot harvesting, which occurs when a political operative collects and submits large numbers of absentee ballots. New Jersey prohibits bundling by individuals of more than three ballots. "Something nefarious has happened because I don't know how anyone can explain 300 ballots appearing in a neighboring town," Sayegh said.

Belleville, New Jersey, Mayor Michael Melham, a proponent of voting by mail, implored state officials to offer in-person voting options, to no avail. Belleville routinely sees problems with mail delivery, Melham said. "I'm a mayor," he said. "Last November, I attempted to vote by mail and I never got my ballot."

This year, Melham said, about a third of Belleville's ballots came in after Election Night, but in time to count. Melham took to Twitter to point out a tub of ballots that the Postal Service had apparently left in the lobby of an apartment building. "The problems in the post office have been systemic for years," Melham said. "I do think that they're overwhelmed. I don't think they're capable any more of simply delivering mail. I just don't think that they can do it."

Ahead of Pennsylvania's June 2 primary, Montgomery County election officials warned voters that "mail delivery times are slower than normal" and filed an emergency petition in a state court to extend the absentee ballot deadlines by one week. A judge denied the petition, but after Black

Lives Matter protests gained steam across the country, and other counties asked for more time to process ballots, Pennsylvania's Democratic governor, Tom Wolf, extended the deadline for receipt of ballots in Montgomery and five other counties.

In Maryland, state officials blamed a mailing vendor for ballot delivery problems and the vendor blamed the state. In Washington, D.C., election officials received so many complaints of missing ballots that officials allowed voters to send in ballots via email.

In Indiana's Marion County, home to Indianapolis, it took two weeks for many voters to get their ballots in the mail ahead of the June 2 primary, according to the county clerk's office. In a May 28 letter to Indiana's secretary of state, Marion County Clerk Myla Eldridge warned that a flood of absentee ballots and mail delays could mean mass disenfranchisement: "In short, this could mean that thousands of ballots will remain uncounted despite the best efforts of both the Marion County Election Board and the voters themselves — even while state and county officials have strongly encouraged voters to vote by mail," she wrote.

Russell Hollis, the office's deputy director, said, "We are worried that if a voter puts a ballot in the mail, we won't see it by Election Day." Eldridge, a Democrat, asked the state's Republican secretary of state to extend the deadline to receive ballots, but he was denied.

During the week of the election, the Marion County staff were still hearing from voters that they hadn't received ballots. It took the office six days to count all of the absentee ballots, and the office is still certifying the results.

Election experts say that successful vote by mail systems depend on building good working relationships with the Postal Service. These relationships are reflected in a complicated system of logistics, communication and safeguards that can take years to set up. In states with large vote by mail operations — Colorado, Hawaii, Oregon, Utah and Washington run all-mail elections — the protections include last-minute election-night sweeps of Postal Service facilities to search for ballots. Colorado election officials, working with a group of local and national mailing vendors, closely track ballot delivery times and take steps to move some mail faster. When deadlines get closer, vendors who help with ballot logistics will ask the Postal Service for clearance to send ballots using faster and more expensive classes of mail. "The whole system has to work together to increase the speed of the ballot," said Judd Choate, Colorado's director of elections.

On every election night since 2013, a lawyer and a staffer from Colorado's election offices, along with a local Postal Service manager, have scoured

the Denver General Mail Facility, which sorts 10 million pieces of mail per day. They arrive at 6 p.m., one hour before the state's voting deadline. The team checks in with Postal Service managers who oversee various distribution points throughout the state to ensure all ballots are located. Any ballots that are found are hand-stamped, time-coded and then sent back to county election offices to be counted. Similar sweeps are carried out at other postal facilities across the state. Colorado officials say the extra scrutiny works: In Colorado's presidential primary this year, the Denver sweep found over 1,000 ballots that may not otherwise have been counted.

But many states and counties that don't have large vote by mail systems have yet to implement these mail facility sweeps.

Choate said he's not worried about the Postal Service's ability to handle mail-in ballots this year. "We've had a number of conversations nationally, and we've also held meetings locally," he said in late May. "I've been on the phone as recently as last week talking to local USPS officials, and I've asked the question straight out: Are you delayed in any way? They say that they're not, and they have statistics to show it. That's not a current worry that we have."

Filed under: [Politics](#)

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Exh. A-28	
Title	Colby, Clifford. "USPS crisis: Why mail is delayed, what that means for the election and what's being done about it." <i>C net</i> , 05 Sep. 2020.
URL	https://www.cnet.com/how-to/usps-crisis-why-mail-is-delayed-what-that-means-for-the-election-and-whats-being-done-about-it/
<p>"Over the next two months, with more than 80 million voters expected to vote by mail to avoid polling places during the ongoing COVID-19 pandemic, government officials are growing increasingly concerned about the country's ability to manage the surge of mail-in ballots. A recent internal audit by the US Postal Service found that 1 million mail-in ballots were sent late to voters during the 2020 primary elections."</p>	



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USPS crisis: Why mail is delayed, what that means for the election and what's being done about it

The United States Postal Service is at the center of a debate that involves the US presidential election this fall. Here's everything you need to know about voting by mail in the general election.



Clifford Colby Sept. 5, 2020 5:43 a.m. PT



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How will the post office handle mail-in ballots this fall?

Jason Redmond/Getty Images

This story is part of [Elections 2020](#), CNET's coverage of the run-up to voting in November.

Over the next two months, with more than 80 million voters expected to vote by mail to avoid polling places during the ongoing COVID-19 pandemic, government officials are growing increasingly concerned about the country's ability to manage the surge of mail-in ballots. A recent internal audit by the US Postal Service found that 1 million mail-in ballots were sent late to voters during the 2020 primary elections.

Adding to the concern, the US Postal Service has taken a series of steps this summer that could dramatically cut back its ability to handle the unprecedented number of ballots it will receive, which could be double the number compared with the last presidential election. And while Postmaster General Louis DeJoy told Congress he intends to pause planned changes to the service, which include closures of mail processing machines, until after the Nov. 3 election, some cities report the USPS continues to cut back on services.

Here's what we know about mail-in and absentee voting and how you can make sure your vote counts this fall.



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5:06

Why are the USPS actions such a big deal?

The reductions initially planned by DeJoy, who was appointed in June, includes taking offline 671 of its high-capacity letter sorting machines, removing collection boxes in Western states, limiting overtime and cutting back post office hours.

The Postal Service has advised states it can't guarantee ballots will reach voters before the election. In letters sent to 46 states and the District of Columbia, the Postal Service warned "there is a significant risk that the voter will not have sufficient time to complete and mail the completed ballot ... in time for it to arrive by the state's return deadline."

These moves, which the post office had said it was taking to "run more efficiently," come as Trump makes contradictory and often false remarks about the post office. He has threatened to cut off funding for the service and followed shortly after by tweeting that he wants to "SAVE THE POST OFFICE!"

The result of all the planned changes ahead of the election, according to election lawyer Marc Elias, is that the Postal Service wouldn't be prepared to handle the surge of mail-in ballots in November. "The Trump administration has turned to weakening the United States Postal Service in a cynical effort to keep people from voting," Elias wrote.



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Why is the postal service at the center of the debate?

The US Postal Service, which was established under the US Constitution, has been in dire financial straits for years. It lost \$69 billion from 2007 to 2018. The coronavirus pandemic has put additional strain on the service, curbing the volume of big money-makers -- first-class and marketing mail -- because people are at home. The pandemic also turned funding for the service into a bargaining chip, with the White House and Congress wrestling with how -- and at sometimes if -- they should fund the service.

In addition to operational changes, DeJoy has recast management of the USPS by removing or reassigning more than two dozen top postal officials. Critics called the move the "Friday night massacre."



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The changes are causing significant mail delays, postal workers say. But what caught the attention of Democratic lawmakers was the warning by the postal service that it couldn't guarantee it could handle the flood of absentee ballots in the November election.

House Speaker Nancy Pelosi and fellow House Democrats said the changes constitute "a grave threat to the integrity of the election and to our very democracy."

Pelosi called House members back from recess to pass a USPS rescue bill and to conduct a hearing with DeJoy about his actions. Following the hearings, a House panel intends to subpoena the USPS for documents pertaining to the slowdown.

A record number of voters may cast their ballots by mail this fall.

Sarah Tew/CNET

What would the USPS have to do with mail-in ballot fraud?

Trump has falsely claimed for weeks that universal mail-in voting will lead to widespread voting fraud.

Every state lets voters cast a ballot by mail, ranging from absentee voting, which allows voters to request ballots by mail because they will be unable to vote in person, to what Trump calls "universal mail-in voting," election officials automatically sending vote-by-mail ballots to each person on the registration rolls.



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There is no evidence, however, to support the president's claims. "Mail ballot fraud is incredibly rare," reported the Brennan Center, a nonpartisan policy institute. "None of the five states that hold their elections primarily by mail has had any voter fraud scandals since making that change," the center reported.

Members of Trump's own party also disagree with the president's assertions. "I don't know of any evidence that voting by mail would increase voter fraud," Sen. Mitt Romney said during an interview this month with the Sutherland Institute.

Congress will hold a hearing on how the Postal Service will handle ballots this election.

Caroline Brehman/Getty Images

How can you make sure your vote counts?

If you're concerned that your mail-in vote may not count this fall but want to avoid election-day crowds, elections attorney Elias recommends three ways besides mailing in your ballot to ensure your vote is counted.

Vote early in person: Forty-one states allow voters to cast their ballots up to 45 days before election day, letting them avoid crowds.

Use a ballot drop box: Many states and counties provide ballot drop boxes for voters to return their mail-in ballot without having to mail it.

Drop off your ballot at an election office or polling location: Almost all states permit voters to return a delivered ballot in person at their local election office on or before election day, Elias said, and many states allow voters to drop off their signed and sealed ballots at any in-person voting location.

For more, here's the difference between absentee and mail-in voting, how we'll vote this fall and how Facebook is helping you find election information.

First published on Aug. 19, 2020 at 4:15 a.m. PT.

Elections 2020 | Politics | Donald Trump

Exh. A-29

Exh. A-29	
Title	Katz, Eric. "USPS Is Fighting to Block the Release of Data on Mail Delays." <i>Government Executive</i> , 21 Aug. 2020.
URL	https://www.govexec.com/management/2020/08/usps-fighting-block-release-data-mail-delays/168121/
"Facing mounting legal challenges against reforms undertaken by its new leader, the U.S. Postal Service is seeking to prevent weekly public disclosure of mail delay data."	

Government Executive



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Postal delays are causing widespread concern as the election approaches, sparking worry that mail-in ballots won't be counted. JOHN MINCHILLO/AP

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USPS Is Fighting to Block the Release of Data on Mail Delays

The Postal Service is fending off pressures before its regulator and federal courts, but it's already suffered one setback.

ERIC KATZ | AUGUST 31, 2020

POSTAL SERVICE



Facing mounting legal challenges against reforms undertaken by its new leader, the U.S. Postal Service is seeking to prevent weekly public disclosure of mail delay data.

USPS is facing an effort to force it to make public its performance data, with the aim of demonstrating the depths of the current mail delays that Postmaster General Louis DeJoy has admitted have accelerated in recent weeks. Postal management has pushed back, filing an objection to its regulator saying such disclosures are unnecessary and would buck the standard timing for their release. The effort to obtain data comes as the Postal Service is fending off at least a dozen lawsuits around the country looking to block changes DeJoy has put into place, including one states-led effort that has been fast tracked in federal court.



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reports on USPS on-time performance to the Postal Regulatory Commission earlier this month. Hutkins noted that DeJoy’s emphasis on operating each step of postal delivery on a set schedule—even if that leads to mail getting left behind—has caused delays, which the postmaster general repeatedly acknowledged in recent congressional hearings. He also suggested in his filing that DeJoy’s reforms and the subsequent mail delays could amount to a de facto change in service standards, which would normally require an advisory opinion from PRC, heightening the need for disclosures. Additionally, he said, the upcoming election puts delivery data in the public interest.

Typically, the Postal Service reports its performance data to the PRC quarterly and the regulator conducts a review of it on an annual basis. The next quarterly report will not be made public until November, however, and PRC’s review would likely come out in December.

“Under normal circumstances, quarterly reports and the annual review are sufficient to satisfy the relevant statutes,” Hutkins said. “And under normal circumstances, the extent to which performance is meeting targets and standards does not change dramatically on a week-to-week basis. The current moment is different, however.”

Presentations to the Postal Service’s largest customers and internal reports made public by House Democrats show dramatic upticks in delayed mail, supporting anecdotal reports by large-scale mailers and USPS employees. Slides prepared for DeJoy on Aug. 12 show on-time delivery declining by between 8% and 10% across the Postal Service’s mail offerings. On Monday, the Postal Service proactively released data that showed on-time performance starting to rebound in mid-August.

“This recovery took place while still adhering to our existing transportation schedules,” DeJoy said Monday. “In other words, we are improving service performance while more consistently running our trucks on time.”

Despite releasing the new data, USPS submitted a rebuttal to the PRC Friday, saying Hutkins erred in seeking to attach his request to a 2019 compliance report. It also said PRC reviews are conducted on a pre-set schedule and there are no regulations that require more frequent reporting. While USPS released data nearly in real time Monday, it said the current quarterly timetable is necessary to allow the agency to ensure the accuracy of its information.

PRC has not yet ruled on the matter. It can effectively block Hutkins’ efforts by remaining silent.

USPS is facing multiple additional efforts to make more of its data public. The House Oversight and Reform Committee, led by Chairwoman Carolyn Maloney, D-N.Y., said on Monday it will subpoena documents from DeJoy related to mail delays, the decommissioning of mail sorting machines and overtime use. Democrats on the committee said DeJoy has ignored requests to produce such information and Maloney reminded the postmaster general the subpoena “makes clear as a legal matter the production of these documents is mandatory.” Maloney also issued a document request to Robert Duncan, who chairs the USPS board of governors.

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USPS said it is working with the committee to provide it the information it is seeking, in addition to providing a briefing Monday on the most recent service statistics.

"Given the straightforward and cooperative nature of these communications with the Committee staff, we were frankly surprised and confused by Chairwoman Maloney’s statement today about her intent to issue a subpoena to the Postal Service," the agency said in a statement. "We will continue to cooperate with the oversight committees in both the House and Senate, and we fully intend to comply with our obligations under the law."

Last week, the U.S. District Court for the Eastern District of Washington granted a request for expedited discovery in a case in which Washington and 13 other states sued USPS seeking to block DeJoy’s changes and other cost-saving efforts previously underway at the agency. The lawsuit alleged that USPS has taken actions that would slow the delivery of election mail, creating an urgency for document production. The court ruled the states’ request was “not unduly burdensome” and was necessary due to their plan to file for a preliminary injunction.

In their lawsuit, like those filed by dozens of other states and outside groups, the attorneys general quoted President Trump disparaging the Postal Service and mail-in voting. They alleged DeJoy’s changes were “procedurally and substantively unlawful,” as USPS failed to go through the PRC and could be disenfranchising voters. DeJoy has already pushed back on some of the allegations in the lawsuit, pausing the decommissioning of sorting machines and removal of blue collection boxes. He has also maintained that he never issued an edict to cut overtime, though many local supervisors around the country have implemented reductions.

The Justice Department, arguing in support of the Postal Service and against expedited discovery, had said much of the information would be coming out “imminently” anyway and the plaintiffs’ request was overly broad. The court rejected those arguments and gave USPS 10 days to produce its data. [G](#)

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and cases, identify contacts who may have been infected, ask them to self-quarantine, and test them for the virus. Testing is at the core of controlling infectious disease spread.

The thinking seems to be that if you don't test, the number of cases will go down.

Clearly, this is true only in the political sense. Yes, the number of reported cases will decrease, but the number of infected persons will not. By not identifying those who are infected but don't have symptoms, spread of the virus will increase as those who don't know they are infected, infect others.

Trump has said that he “likes the numbers where they are” and said at a campaign rally in Tulsa that he would tell his people to “[slow the testing down.](#)”

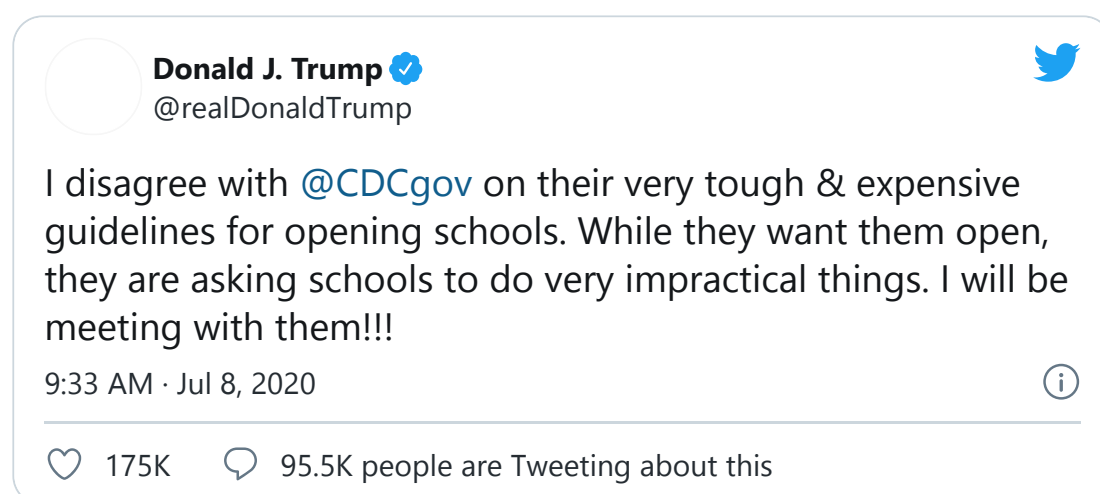
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A series of tussles

The CDC has been in the midst of a political struggle many times during this pandemic.

In May, it was revealed that CDC had been [adding antibody tests, a marker of previous infection, to the number of PCR tests](#), a marker of current infection, performed. This made it appear that more tests to detect current infection had been performed than actually had.

In July, hospitalization data, historically reported to CDC and used by health departments and researchers throughout the country to understand the pandemic, [disappeared from the CDC website](#) as reporting switched to a private contractor. It reappeared a few days later, but this raised [concerns this would hurt the ability of CDC to gather and analyze these data.](#)



In another instance, the administration pressured CDC to rewrite its guidelines for [safely reopening schools](#). It did this, even though once again, the guidelines did not reflect current scientific knowledge.

The world is now in the midst of the worst pandemic in over a century. The United States has 4.4% of the world's population but [24%](#) of COVID-19 cases. Plainly, we are not doing well, and lack of trust in CDC's guidance as well as constantly changing messaging is hampering our efforts to control the virus. No wonder the public is confused about what they should be doing.

It does not bode well if we Americans can no longer trust the advice and guidelines emanating from our national public health entity, not just for control efforts in this pandemic but for future health concerns as well.

Exh. A-30

Exh. A-30	
Title	Solender, Andrew. "Reports Of Dismantled USPS Sorting Machines Continue Despite DeJoy Announcing Halt." <i>Forbes</i> , 19 Aug. 2020.
URL	https://www.forbes.com/sites/andrewsolender/2020/08/19/reports-of-dismantled-usps-sorting-machines-continue-despite-dejoy-announcing-halt/#ff39e6f26b98
Subject Matter(s):	"A day after Postmaster General Louis DeJoy announced the temporary suspension of sharply criticized service changes amid widespread delays and mail-in ballot fears, reports continue to surface about mail sorting machines being dismantled and removed."

Reports Of Dismantled USPS Sorting Machines Continue Despite DeJoy Announcing Halt



[Andrew Solender](#) Forbes Staff

A day after Postmaster General Louis DeJoy announced the [temporary suspension](#) of sharply criticized service changes amid widespread delays and mail-in ballot fears, reports continue to surface about mail sorting machines being dismantled and removed.

KEY FACTS

DeJoy, a logistics executive and GOP mega-donor, released a statement Tuesday defending his changes – including the removal of mail sorting equipment and collection boxes – as an attempt to “secure the success of this organization and its long-term sustainability.”

But he also announced the suspension of those changes to “avoid even the appearance of any impact on election mail” amid fierce backlash from Democrats in Congress and the general public over [concerns](#) about widespread delays leading to difficulty in counting mail-in ballots.

But new reporting on Wednesday suggests that much of the damage has already been done and that some of DeJoy’s changes weren’t immediately halted after he released the statement.

Photos of a postal facility in Portland, Ore., first [reported](#) by ABC News, appear to show dismantled mail sorting machines sitting in parts and wrapped in “caution” tape, with postal union leaders saying it’s “highly unlikely” the decommissioned machines will return to use at all, let alone before the election, CNN [reported](#).

Parts of mail sorting machines were also [found](#) in a parking lot in Grand Rapids, Mich. by WOOD-TV reporter Heather Walker, who also [reported](#) that sorting machines are still being dismantled as of Wednesday, and that the “order came from Postmaster General DeJoy.”